UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/26732
12 November 1993

ORIGINAL: ENGLISH

LETTER DATED 12 NOVEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the latest version, dated 12 November 1993, of the "adjusted timetable of urgent steps to implement Security Council resolutions 822 (1992), 853 (1993) and 874 (1993)".

The said document has been submitted by the Chairman of the Council on Security and Cooperation in Europe (CSCE) Minsk Conference on Nagorny Karabakh, the Honourable Mario Raffaelli, to the parties to the conflict today, with a request that they should communicate their acceptance by 22 November 1993, at 1200 hours Moscow time.

Upon receiving the consent of the parties, Mr. Raffaelli would immediately put actual dates on the timetable and inform the parties accordingly.

I would appreciate it if the present letter and the annexed timetable could be circulated as a document of the Security Council.

(Signed) F. Paolo FULCI
Permanent Representative

Enclosure

Adjusted timetable of urgent steps to implement Security Council resolutions 822 (1993), 853 (1993) and 874 (1993)*

The following urgent steps will be implemented by the parties to the conflict. In the context of the timetable, the term "parties to the conflict" refers to the Governments of Armenia and Azerbaijan and to the leadership of Nagorny Karabakh, each according to its own role in the conflict. The Azeri interested party of Nagorny Karabakh will continue to have a role in the negotiations towards a peaceful settlement of the conflict. The terms "party to the conflict" and "leadership of Nagorny Karabakh" do not imply recognition of any diplomatic or legal status under domestic or international law.

The parties to the conflict will continue to make all advance technical preparations including by direct contacts between them, to ensure that the actions for which they are responsible can be accomplished according to the present timetable. They will coordinate closely with the head of the CSCE verification or monitor mission as soon as he arrives in the region to demonstrate that all necessary preparations have been made.

Technical problems that may delay implementation of any step of the timetable will not affect the obligation of the parties to the conflict to carry out the subsequent steps of the timetable. The technical nature of such problems will be verified by the head of the CSCE verification or monitor mission.

Violations of the arrangements agreed within the present timetable will be promptly reported by the relevant CSCE mission to the Chairman-in-Office of CSCE, along with a factual analysis, with a view to enabling CSCE to take the appropriate measures, including the possibility of reporting violations and making recommendations to the Security Council. In these cases, an emergency meeting of the Minsk Group may be called by the Chairman.

By signing the present timetable, the parties to the conflict confirm that they have agreed to continue to observe a complete and durable cease-fire at least until the opening of the Minsk Conference. Prior arrangement of such a cease-fire could establish an effective basis for this confirmation and the opening of the Minsk Conference and its ultimate success.

The opening of the Minsk Conference can in no way be interpreted as implying acceptance or recognition of the situation on the ground. Questions relating to or arising from the conflict and not addressed in the present timetable (including withdrawal or displaced persons/refugee questions such as Lachin, Shusha/Shushi, Shaumian/Goranboy and the enclaves) will remain open and are to be resolved at the Conference.

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* The texts of the resolutions are annexed to the present timetable as essential guidelines.

The parties to the conflict will, as soon as possible, exchange lists of all detainees (prisoners or hostages) being held, whether by authorities or private persons, and all available information on persons who have died in their custody. They will also exchange lists of missing persons, with a view to receiving all available information concerning their fate. The parties will immediately take all necessary action to facilitate access by the International Committee of the Red Cross (ICRC) to all detainees (prisoners or hostages).

The parties to the conflict recognize the right of every displaced person/refugee to return to his/her home of his/her free will, in security and dignity. They shall endeavour to create secure conditions that will permit the voluntary and generally balanced return of all displaced persons/refugees who wish to return to their homes. All possible assistance will be provided for their return.

Cessation of military activities and hostile acts, completion of withdrawals and restoration of communications and transportation as foreseen in this timetable will contribute to the creation of the necessary conditions for the voluntary return of displaced persons/refugees to their homes in security and dignity.

In the present timetable the term "withdrawal" is to be understood as withdrawal to the relevant segment of the 1988 district borders.

Day X — Announcement by the Chairman of the parties' agreement on the timetable.

X+7-X+9 — Minsk Group preparatory meeting for the Minsk Conference. The meeting will decide all questions concerning the procedure and the decision-making process of the Conference.

X+14 — Public announcement by the parties to the conflict on the entry into force of the present agreed timetable. The announcements should mention the following elements of the timetable:

(a) Cessation of military activities and hostile acts;

(b) Withdrawal from occupied territories;

(c) Restoration of communications and transportation;

(d) Creation of conditions for the return of displaced persons/refugees to their homes in security and dignity;

(e) Opening of the Minsk Conference.

The announcement should also mention the arrival of the CSCE verification mission to the region and the commitment of the parties to cooperate with it, the positive perspective opened up for the region by the beginning of the process, the need for a spirit of reconciliation and peace, a commitment to observe strictly the terms of the timetable and the readiness of each party to punish those responsible on its own side in case of violations.

The CSCE verification mission, led by a representative of the Chairman-in-Office accompanied by at least 35 to 40 experts and possibly by United Nations representatives, arrives in the region. As soon as possible after arrival, the head of mission will set up a joint coordination commission along the lines of annex II to the present timetable.

Soon after arrival, the head of mission will contact the representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR) in the region. A joint commission acting as a subcommission of the joint coordination commission will examine all aspects concerning the return of displaced persons/refugees to their homes as a consequence of actions provided for in this timetable.

X+15 Withdrawal from Kubatli (and Zangelan, if still occupied) districts begins, including clearing of own mines.

X+17 Verification mission enters Kubatli and Zangelan districts, provided the head of mission is satisfied that the safety of the mission is ensured. Withdrawal from these districts is completed by 2359 hours local time. Assistance is provided to displaced persons/refugees returning to their homes after withdrawal.

The main gas pipeline from Azerbaijan into Armenia and Nakhichevan is reopened. This is verified by the verification mission.

Withdrawal from Fizuli district (and Goradiz, including the main road along the Iranian border, if still occupied) begins, including clearing of own mines.

X+19 Verification mission completes verification of the withdrawal of all occupying forces from the Kubatli and Zangelan districts.

X+21 Verification mission enters Fizuli-Goradiz district provided the head of mission is satisfied that the safety of the mission is ensured. Withdrawal from this district is completed by 2359 hours local time. Assistance is provided to displaced persons/refugees returning to their homes after withdrawal.

Exchange of acknowledged detainees (hostages and prisoners) of war is effected.

Kazakh-Idjevan road is reopened from both sides. This is verified by the verification mission.

Withdrawal from the Agdam district begins, including clearing of own mines.

X+23 Verification mission completes verification of the withdrawal of all occupying forces from Fizuli-Goradiz district.

X+24 Governments of Armenia and Azerbaijan confirm that they are strictly respecting the recognized international border between the two countries. Any border complaints are submitted through the joint coordination commission to the head of the CSCE mission, who will make the necessary verifications.

X+25 Verification mission enters the Agdam district provided the head of mission is satisfied that the safety of the mission is ensured. Withdrawal from this district is completed by 2359 hours local time. Assistance is provided to displaced persons/refugees returning to their homes after withdrawal.

Withdrawal from the Mardakert district begins at 0001 hours local time, including clearing of own mines.

X+26 Withdrawal from Djebrail district begins at 0001 hours local time, including clearing of own mines.

X+28 Verification mission completes verification of the withdrawal of all occupying forces from the Agdam district.

X+30 Verification mission enters Mardakert district, provided the head of mission is satisfied that the safety of the mission is ensured. Withdrawal from this district is completed by 2359 hours local time. Assistance is provided to displaced persons/refugees returning to their homes after withdrawal.

X+34 Verification mission enters Djebrail district, provided the head of mission is satisfied that the safety of the mission is ensured. Withdrawal from this district is completed by 2359 hours local time. Assistance is provided to displaced persons/refugees returning to their homes after withdrawal.

Announcement by the Government of Azerbaijan that "there will be restraint in the reintroduction of security personnel in the Kelbajar district". Such personnel will number approximately 1 per cent of the population having returned to the district and in any case will not exceed 500. Their weapons will be limited to pistols and submachine-guns/automatic rifles. A CSCE mission will monitor the level of security forces and the type of weapons to be reintroduced, in order to oversee that they correspond to the above provisions. These provisions shall apply until the Minsk Conference has completed its work or a subsequent regime has been agreed for the district.

Verification mission completes verification of the withdrawal of all occupying forces from the Mardakert district.

X+35 Withdrawal from the Kelbajar district begins at 0001 hours local time, including clearing of own mines.

X+36 Verification mission completes verification of the withdrawal of all occupying forces from the Djebrail district.

X+37 Reopening of all remaining communications and transportation within the region, including as concerns Nakhichevan. The parties undertake full responsibility for the maintenance and repair of communication lines under their control.

X+38 Verification mission enters Kelbajar district provided the head of mission is satisfied that the safety of the mission is ensured. Withdrawal from this district is completed by 2359 hours local time. Assistance is provided to displaced persons/refugees returning to their homes after withdrawal.

X+39 Reopening of Kazakh-Idjevan railway from both sides. This is verified by the verification mission.

X+40 Verification mission completes verification of the withdrawal of all occupying forces from the Kelbajar district.

Following the appropriate decision by CSCE, the verification mission is transformed into the CSCE monitor mission, which begins operating in the region on the basis of the terms of reference approved by CSCE and of the present timetable.

X+42 Inaugural session of the Minsk Conference (at the highest level among the parties to the conflict).

Adoption of the Conference agenda.

Signing by the parties to the conflict of a statement on the continuation of the negotiations towards a peaceful settlement of the conflict on the basis of the principles, commitments and provisions of CSCE and the continued implementation of Security Council resolutions 822 (1993), 853 (1993) and 874 (1993). This statement will commit the parties to the irreversibility of the process.

Solemn confirmation by the Conference of determination to ensure free and unimpeded access of international humanitarian relief efforts to the region, in particular in all areas affected by the conflict.

Parties to the conflict commit themselves, in cooperation with ICRC, to return all detainees (hostages and prisoners-of-war) or their remains, and to cooperate in accounting for the missing.

Confirmation of cease-fire, which is transformed into a permanent cessation of military activities and hostile acts. The expression "cessation of military activities" involves the exclusion, on a permanent basis, of:

(a) The use of any type of weapon for military purposes, including shelling and aerial bombardments (complete cease-fire);

(b) Any offensive operation or attack;

(c) Any military manoeuvre;

(d) Any movement of military units or military equipment and any transport for the purpose of resupplying of munitions to existing units or deploying reinforcements (except movements for withdrawal to the rear or reintroduction of lightly armed security personnel into the Kelbajar district, with prior notification to the relevant CSCE mission);

(e) Any patrolling for either reconnaissance or combat purposes;

(f) Any kidnapping or taking of hostages, plunder or killing of civilians.

X+45 Further elements of the CSCE monitor mission, for a total of about 130 monitors, are dispatched to the region.

Annex I

Definition of the area of conflict

The terms used in the present annex do not imply recognition of any diplomatic or legal status under domestic or international law.

The area of conflict includes the following:

(a) All territory east of Armenia, south of the Georgian frontier and the southern bank of the Koura river and the Mingechaurskoe Reservoir and north of the northern bank of the Arax river, excluding the territory east of 48 longitude;

(b) A strip of land having a width of about 5 kilometres on each side along the border between Armenia and the Azeri province of Nakhichevan;

(c) A strip of land having a width of about 20 kilometres on the Armenian side of the remaining international border between Armenia and Azerbaijan;

(d) Airfields, wherever located, under the control of the parties to the conflict at which combat or other aircraft used for military purposes can be based. (See attachments with map of A, B and C areas and list of airfields.)

Possible overlappings due to the application of the above criteria do not cause an increase in the area of conflict.

As an exception to the normal regime of the area of conflict, movements of unloaded weapons (including heavy weapons after reactivation) and personnel will be permitted, subject to prior notification to a CSCE mission of such reactivation and movement, in the city of Stepanakert, along the main road from Stepanakert north to Mardakert and south to Hadruth and 1 kilometre on both sides of the road. Ammunition should be transported in separate convoys.

Normal border services or installations on borders with third countries shall be exempted from monitoring.

While monitors cannot be present in all locations at all times, they have the right to visit any part of the area of conflict at any time, for the accomplishment of their duties.

The monitoring area includes the area of conflict as defined in subparagraphs (a) to (d) above, as well as any other area on the territories under the control of the parties to the conflict as necessary for the monitoring mission to carry out the tasks specified in point 1 of the terms of reference.

Attachment I

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Attachment II

List of airfields

The following list of airfields has been prepared on the basis of the parties' contributions and remarks. The nature and condition of some of these airfields has to be ascertained. The definitive list of airfields to be monitored will be compiled by the head of the CSCE verification or monitor mission as soon as the mission becomes operational.

AGDAM	3958NO4700E	LEMKORAN	3834NO4849E
AGJABEDI a/		METS MAZRA a/	4011NO4546E
AKSTAFA	4107NO4525E	NAFTALAN	4031NO4649E
BAKU-BINA	4028NO5023E	NAKHICHEVAN	3911NO4527E
BAKU-KALA	4024NO5012E	NOSOSNAYA	4035NO4933E
BERD	4055EO4527E	PIRSAGAT	3951NO4920E
BILASUVAR (Pushkino)	3930NO4841E	PRISHIB	3951NO4920E
DOLLYAR	4053NO4557E	SABIRABAD a/	
DZHERMUK	3949NO4540E	SALYANI	3938NO4859E
FIZULI	3935NO4711E	SAMGACHALY	4007NO4927E
GAJIKABUL a/		SHEKI	4108NO4709E
GERAN a/		SHINUAYR	3927NO4620E
GORIS a/		SISYAN a/	
GYANDZHA	4044NO4619E	SISTAL CHAY	4048NO4925E
GYOJA a/		STEPANAKERT	3954NO4647E
KAFAN	3912NO4627E	TAMRUKULULAR	4044NO4651E
KALA-PUTA a/		TASHIR	4105NO441E
KARACHALA	3949NO4858E	VARDENIS a/	
KAZI MAGOMED	4001NO4854E	YEREVAN (Yuzhnii)	4007NO4427E
KUMAYRI (Leninakan)	4045NO4351E	YEVLAKH	4037NO4708E
KYURTAMIR a/		ZAKATALY	4133NO4640E
KYZYLAGADZH	3900NO4848E	ZVARTNOTS a/	

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a/ Exact nature and condition to be ascertained.

Annex II

Guidelines for a joint coordination commission

1. In order to facilitate the resolution of technical military issues and other technical issues arising from the day-by-day implementation of the timetable and other arrangements concluded during the peace process, a joint coordination commission (JCC) shall be established in the monitoring area among all the parties to the conflict under the chairmanship of the head of the relevant CSCE mission and for the duration of that mission.

2. The purpose of JCC shall be purely practical. Within the framework of its tasks, it will provide an opportunity for direct contacts between the parties. Its existence, composition and activities shall not imply recognition of any legal status of its parties under domestic or international law.

3. In the early stages of the process, JCC shall contribute to ensuring an effective de-escalation and interruption of military activities, the identification of uncontrolled military formations and the continued observance of the cease-fire.

4. JCC shall strive to improve the exchange of information among the parties, as well as the synchronization of actions by them.

5. JCC shall be convened by its Chairman on a regular basis, and whenever required. Items to be discussed will be determined by the Chairman, taking due account of issues brought to his attention by any participant.

6. JCC will be composed of the parties to the conflict. The representative of the Azeri community of Nagorny Karabakh shall participate in the discussion of those problems which concern that community directly.

7. JCC shall normally meet at the relevant CSCE mission's headquarters. Its Chairman may decide to convene it elsewhere in the monitoring area, whenever required.

8. The JCC proceedings and any conclusion on specific questions may be recorded under the Chairman's responsibility.

9. Each party to the conflict shall facilitate all travel and activities relating to JCC and ensure the security and safety of JCC participants in connection with such travels and activities, within the territory under its own control.

10. If necessary, the present guidelines may be reviewed by the Minsk Conference or its working groups.

Annex III

The text of the relevant Security Council resolutions is considered to be annexed to the present timetable.

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/48/594
S/26733
15 November 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda items 71, 72, 73 and 79
GENERAL AND COMPLETE DISARMAMENT
REVIEW AND IMPLEMENTATION OF THE CONCLUDING DOCUMENT OF THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY
REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 11 November 1993 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to forward to you the statement dated 11 November 1993 issued by the Head of the Delegation of the Democratic People's Republic of Korea to the DPRK-USA Talks (see annex).

I should be grateful if you would have this letter, together with the enclosed Statement, circulated as an official document of the General Assembly, under agenda items 71, 72, 73 and 79, and of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Statement made on 11 November 1993 in Pyongyang by the First Vice-Minister for Foreign Affairs and Head of the Delegation of the Democratic People's Republic of Korea to the DPRK-USA High-Level Talks

Very ill-boding signs are appearing these days, beclouding the prospects of solution of the nuclear problem on the Korean peninsula.

Some quarters are painting an extremely pessimistic picture of the situation as if the continuity of the safeguards on our country's nuclear activities were on the verge of suspension, arguing that, if the Democratic People's Republic of Korea refuges to accept "a total inspection" by the International Atomic Energy Agency (IAEA) within a few days, "United Nations sanctions" must be imposed on it.

And it must not go unnoticed that, with a view to backing these arguments of theirs, they are concealing the essence of the nuclear problem on the Korean peninsula and are distorting fact to create the impression that the Democratic People's Republic of Korea is playing a hide-and-seek to develop nuclear weapons, and are setting afloat the false rumour that it is using the nuclear problem as a bargaining chip to attain a certain selfish aim.

Taking into consideration the serious nature of the political purpose sought by the dishonest forces in spreading such arguments and rumours zealously, I dee it necessary to clarify the truth of the situation and our principled stand for a solution of the nuclear problem.

As is already known, the Democratic People's Republic of Korea and the United States sides published a Joint Statement after discussing and reaching an agreement on the matters of principle in the solution of the nuclear problem, and held talks on this basis.

In the Joint Statement, the two sides confirmed it as the basic principles of the solution of the nuclear problem to refrain from nuclear threats, respect each other's sovereignty, ensure a fair application of full guarantees and for the United States to support a peaceful reunification of Korea, and clearly defined the Democratic People's Republic of Korea and the United States of America as the parties vested with chief responsibility and authority for the solution of this problem.

According to this, we have taken practical measures for the solution of the nuclear problem and acted in good faith in the course of the talks till today. With the publication of the DPRK-US Joint Statement, we unilaterally and temporarily suspended the effectuation of our declaration on our withdrawal from the Nuclear Non-Proliferation Treaty and resumed negotiation with IAEA and the North-South dialogue. And, under this special situation, we totally froze the movement of nuclear material within the Democratic People's Republic of Korea to fulfil our commitment to proving the transparency of our nuclear activities and allowed inspection for ensuring the continuity of safeguards in this regard.

Especially, we made a big bold decision to replace the existing graphite-moderated reactors with light water reactors at the expense of the independence of our nuclear power industry, in order to dispel fundamentally the so-called "suspicion of nuclear development" against the Democratic People's Republic of Korea.

All these sincere efforts, however, have failed to call forth a practical response from the United States side, and the current situation is developing in the opposite direction.

This is attributable to the faithless stance of the United States side, our dialogue partner, towards the talks. Contrary to the principles agreed upon at the past talks, outrageous words threatening and antagonizing the Democratic People's Republic of Korea have rolled off the tongues of official figures of the United States in succession and they are overtly revealing their intention to continue the "team spirit" military manoeuvres, nuclear war exercises against the Democratic People's Republic of Korea. On the other hand, they brought the third-stage DPRK-USA Talks, which was to be held within two months, to a deadlock by setting unreasonable preconditions and orchestrated the adoption of a "resolution" laying the blame at our door during the General Conference of IAEA and the United Nations General Assembly.

All these facts show that, over the five months after the talks began, only the Democratic People's Republic of Korea has unilaterally moved to implement the points agreed upon at the talks, and the United States has not moved at all.

The spirit of the agreement at the talks that both sides should move simultaneously on an equal footing has been ignored by the United States side and, in the final analysis, this is the main cause of impasse in the solution of the nuclear problem.

This notwithstanding, the United States is trying to mislead public opinion as if the Democratic People's Republic of Korea were to blame for it. This fosters the suspicion that the United States still pursues a political purpose of stifling our Republic, unwilling to solve the nuclear problem in real earnest. Particularly, it is an act of reversing black and white to cry that the continuity of the safeguards of the nuclear activities of the Democratic People's Republic of Korea has been broken.

To guarantee that our nuclear activities will not be oriented to a military purpose until the nuclear problem has completely been solved through the DPRK-USA Talks, the Democratic People's Republic of Korea has until now remained faithful to its promise to the United States that it will allow the readjustment and replacement of the inspection cameras of IAEA. Still now the inspection cameras and seals of IAEA remain on the nuclear facilities of our country.

Until now, we have allowed inspection teams of IAEA to change films and batteries of the inspection cameras, confirm their seals and readjust the cameras whenever necessary for IAEA on several occasions, and informed the Agency of our readiness to receive such inspection teams at any time it is requested. Considering the scale and conditions of our nuclear facilities, they can fully confirm only with the cameras that our nuclear activities had nothing to do with a military purpose.

When the cameras were readjusted and replaced in August, nobody was afraid that the continuity of safeguards might be broken. Though we consider that the observation by cameras alone is enough to ensure the continuity of safeguards, we, making allowances for the circumstances of the United States side, clearly manifested our magnanimous stand that the scope of inspection might be expanded and already held an informal negotiation with the United States side and then proposed a working-level negotiation with IAEA.

Nevertheless, the United States and IAEA are claiming that, if the continuity of safeguards is to be ensured, we must accept an overall inspection by IAEA, and set this as a precondition for the opening of the third-stage DPRK-USA Talks.

What the United States and IAEA demand is that we wholly comply with the Safeguard Agreement immediately at the present juncture.

Our full compliance with the Safeguards Agreement means our full return to the Nuclear Non-Proliferation Treaty.

As we made clear in a Statement of the Government of the Democratic People's Republic of Korea, we declared our withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons because our Republic's supreme interests were in danger owing to the United States nuclear threat and the partiality of IAEA.

The United States came out to the DPRK-USA Talks because it admitted that it could not bring us back to the Treaty without a change in its nuclear threat and hostile policy towards Korea and the DPRK-USA Joint Statement was published against that background. Therefore, the United States, which has put into practice none of its commitments to us, has no face to demand us point-blank to return to the Treaty. This is why the United States, craftily enough, is seeking our substantial return to the Treaty by realizing inspection equivalent to the full compliance with the Safeguards Agreement under the cloak of "continuity of safeguards inspection", avoiding the words of return to the Treaty outwardly.

This increases the suspicion that the United States had intended to coax us with empty talk into return to the Treaty, not completely giving up a nuclear threat to our country and a hostile policy of stifling it from the first.

Under the special circumstances in which we unilaterally and temporarily suspended the effectuation of our withdrawal from the Treaty, there must be a clear distinction between the guarantee of continuity of safeguards and full compliance with the Safeguards Agreement. The full compliance with the Safeguards Agreement must, in any case, be debated and solved in direct links with the United States through future DPRK-USA Talks.

The nuclear problem cannot be solved any time if they try to attribute deliberately our nuclear problem to such working rules as the Safeguards Agreement under the present situation, in which the political factors of our withdrawal from the Treaty still remain.

In a nutshell, the purpose of the United States in demanding only our compliance, itself not moving at all, cannot be construed otherwise than to invent a pretext of sanctions and pressure on us by rendering the situation complicated, not to settle the nuclear problem in actuality.

We make it clear once again that we cannot fully comply with the Safeguards Agreement unless the United States guarantees in deed that it would not try to stifle our system.

The nuclear problem on the Korean peninsula can never be solved through pressure. Only through dialogue and negotiation can it be solved.

We proposed to the United States side the formula of a package solution of the nuclear problem proceeding from the judgement that the major cause of no progress in the solution of the nuclear problem lies in the lack of trust between the Democratic People's Republic of Korea and the United States. If the thing is to go well, the questions should be settled one by one with the United States, the assailant, moving first, and us, the sufferer, responding.

But the United States, contrary to its position, is now telling us to move first. This is totally unacceptable. We insist on the formula of a package solution whereby the sides should at least define their work and each side should do its share.

If the third stage of the DPRK-USA Talks are held and an agreement is reached there on the formula of a package solution, a definite prospect for the settlement of the nuclear problem will be opened.

The nuclear problem will be solved smoothly when an agreement is reached on the formula of a package solution and the United States takes a practical action of renouncing the nuclear threat and hostile policy against us and we fully comply with the Safeguards Agreement, remaining committed to the Treaty.

There is no change in our stand to ensure fully the continuity of safeguards until an agreement is reached on the formula of a package solution. Now the matter depends on how the United States responds to our proposal for a package solution, renouncing its hostile policy of stifling the Democratic People's Republic of Korea.

This formula will be a touchstone showing whether or not the United States truly has the will to solve the nuclear problem and the will for dialogue.

If the United States does not show a positive response to our proposal, we will have no alternative but to consider that the United States side has no will for a genuine dialogue for the solution of the nuclear problem.

If the International Atomic Energy Agency ignores our sincere proposal for negotiation to ensure the continuity of safeguards and distorts the fact as if the continuity of safeguards in the Democratic People's Republic of Korea had

been broken, it would be considered to be a signal urging the Democratic People's Republic of Korea to quit the Non-Proliferation Treaty promptly.

The ball is in the court of the United States and IAEA.

KANG Sok Ju

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/48/594/Corr.1
S/26733/Corr.1
22 November 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda items 71, 72, 73 and 79
GENERAL AND COMPLETE DISARMAMENT
REVIEW AND IMPLEMENTATION OF THE
CONCLUDING DOCUMENT OF THE TWELFTH
SPECIAL SESSION OF THE GENERAL ASSEMBLY
REVIEW OF THE IMPLEMENTATION OF THE
RECOMMENDATIONS AND DECISIONS ADOPTED
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SPECIAL SESSION
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING OF
INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 11 November 1993 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Corrigendum

The following correction has been requested by the Permanent Mission of the Democratic People's Republic of Korea to the United Nations:

Page 4, annex

In the penultimate paragraph, the second sentence should read:

The full compliance with the Safeguards Agreement must, in any case, be debated and solved in direct links with the abandonment of the nuclear threat and stifling policy of the United States through future DPRK-USA talks.

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UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/48/595
S/26734
12 November 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 42
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 12 November 1993 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

Recently, our delegation has been under the impression that the opening of Tuzla Airport for humanitarian purposes was imminent. We would be grateful if you could ascertain the status of this subject.

May I ask for your kind assistance in circulating the text of the present letter as a document of the General Assembly, under agenda item 42, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

93-63078 (E) 121193 141193

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/26735
12 November 1993

ORIGINAL: ENGLISH

LETTER DATED 9 NOVEMBER 1993 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the command of the United Nations Iraq-Kuwait Observer Mission (UNIKOM) and wish to inform the Security Council of my intention, following consultations with the Governments concerned, to appoint Major-General Krishna Narayan Singh Thapa of Nepal to the post of Chief Military Observer in UNIKOM.

Major-General Thapa is currently serving as Chief of Staff of the United Nations Truce Supervision Organization (UNTSO). Should the Council concur with the proposed appointment, Major-General Thapa would be expected to assume his functions on 1 December 1993.

I should be grateful if you could bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

93-63175 (E) 121193 141193

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/26736
12 November 1993

ORIGINAL: ENGLISH

LETTER DATED 12 NOVEMBER 1993 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 9 November 1993 (S/26735) concerning the appointment of the Chief Military Observer in United Nations Iraq-Kuwait Observer Mission (UNIKOM) has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter, including the assumption by Major-General Thapa of the post of Force Commander of UNIKOM upon the deployment of the Bangladesh battalion.

(Signed) José Luis JESUS
President of the Security Council

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/26737
17 November 1993

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The attached letter dated 10 November 1993, was addressed to the Secretary-General by the Permanent Observer of Switzerland to the United Nations.

Annex

[Original: French]

Letter dated 10 November 1993 from the Permanent Observer of Switzerland to the United Nations addressed to the Secretary-General

Pursuant to the request made by the Security Council in its resolutions 771 (1992) and 780 (1992) to provide it with information relating to violations of humanitarian law being committed in the territory of the former Yugoslavia, I have the honour to transmit to you herewith the report prepared for this purpose by the Swiss Confederation.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Johannes J. MANZ
Permanent Observer

Enclosure

RAPPORT DE LA CONFEDERATION SUISSE ADRESSE AU SECRETAIRE GENERAL DES NATIONS UNIES CONFORMEMENT AUX RESOLUTIONS 771 ET 780 DU CONSEIL DE SECURITE

OCTOBRE 1993

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Le Conseil de Sécurité, au paragraphe 5 de la Résolution 771 et au paragraphe 1 de la Résolution 780, invite les Etats à recueillir et à rapporter toutes les informations qu'ils détiennent sur d'éventuelles violations du droit humanitaire commises sur le territoire de l'ancienne Yougoslavie, et de les mettre à sa disposition ainsi qu'à celle de la Commission d'experts des Nations Unies.

En réponse à la requête du Conseil de Sécurité, la Suisse remet au Secrétaire général des Nations Unies le présent rapport. Rédigé sur la base des informations fournies lors de l'audition en Suisse, par des juges d'instruction militaires spécialement instruits, de trente-quatre Bosniaques pour la plupart d'origine musulmane et de sexe masculin, et séjournant pour le moment en Suisse, il ne prend en considération que les événements vus ou vécus par les personnes entendues et rapportés par elles.

Soulignons encore que la presque totalité des témoins entendus sont soit originaires de la ville de Prijedor (nord-ouest de la Bosnie-Herzégovine), soit d'une ville ou d'un village de sa région.

Dans le souci de protéger les témoins et leurs proches, et de respecter le principe de confidentialité, leur nom et leur adresse ne sont pas donnés. De même, les victimes d'exactions qui ne sont pas en même temps des témoins, ainsi que les personnes accusées de crimes graves contre le droit international humanitaire - dans la mesure où à ce stade il ne s'agit que d'allégations - ne sont citées que par les initiales de leur prénom et de leur nom. Toutefois, les autorités suisses disposent de ces informations dans les protocoles d'audition. Par ailleurs, elles possèdent aussi une liste séparée d'exactions perpétrées en ex-Yougoslavie et de personnes qui sont accusées de les avoir commises. La Commission d'experts des Nations Unies pourra, en temps opportun et à sa demande, prendre connaissance de ces sources protégées. Quant aux noms des régions, villes et villages, ils sont retranscrits en toutes lettres.

Pour permettre une compréhension et une analyse aisée des faits cités, le rapport se divise en deux parties. Dans un premier temps, il est procédé à une description, ville par ville, village par village, des exactions alléguées par les témoins et contraires au droit international humanitaire. A cette occasion, le déroulement des événements, les moyens et les méthodes employés par les agresseurs ainsi que les comportements criminels sont mis en évidence.

Dans une seconde partie, une présentation des différents camps de concentration est faite. Le rapport décrit les conditions d'internement, les mauvais traitements et les tortures infligés aux prisonniers ainsi que la pratique des exécutions sommaires.

Dans un souci de transmettre avec clarté les différents faits protocolés, le présent rapport décrit, témoignage après témoignage, et dans l'ordre des numéros de témoin attribués par les autorités suisses, les crimes et les exactions décrits par les personnes entendues.

La Suisse tient à rappeler au Secrétaire général des Nations Unies et au Conseil de Sécurité que toutes les informations et renseignements qui se trouvent consignés dans ce rapport proviennent uniquement des dires des témoins auditionnés par les autorités suisses conformément aux résolutions 771 et 780.

PREMIERE PARTIE: VILLES ET VILLAGES VICTIMES D'EXACTIONS

Kozarusa (région de Prijedor):

Témoin 255 276

- Le village, uniquement habité de civils et dépourvu de toute défense militaire, fut attaqué par les forces serbes le 24 mai 1992, aux environs de 14 heures. Après un bombardement d'artillerie, les miliciens mirent le feu aux habitations. Le 26 mai 1992 au matin, les villageois qui avaient pu se réfugier dans une forêt proche se rendirent. Tous furent déportés dans les différents camps de la région de Prijedor.

Kamicani/Kozarac (région de Prijedor):

Avant les hostilités, le bourg de Kamicani/Kozarac comptait environ 700 maisons et était habité par 2800 personnes majoritairement d'origine musulmane.

Témoin 255 309

- Lors de son arrestation à Kozarac par les miliciens serbes et de sa déportation, le témoin put assister à plusieurs exécutions sommaires. En particulier, il vit deux civils qui faisaient partie de sa cohorte de prisonniers être abattus. Il put aussi observer, entre les maisons 12 et 18 du bourg , un fosse commune qui contenait une trentaine de cadavres.

Témoin 255 339(1)

- Kamicani/Kozarac a été bombardé le 24 mai 1992 pendant près de 24 heures. Le 25 mai, des soldats de l'ancienne armée populaire yougoslave, accompagnés d'hommes du chef de guerre A., entraient dans la cité. Ils y brûlèrent les habitations et fusillèrent toutes les personnes qui avaient tenté de résister. Un grand nombre d'hommes furent arrêtés et transférés au camp d'Omarska. Durant

la déportation en bus, des adolescents serbes de 12 à 15 ans injuriaient et frappaient les détenus.

Témoin 255 339(2)

- Le témoin rapporte qu'après la prise de Kamicani, des miliciens et des habitants serbes brûlèrent ou firent sauter les habitations des non-Serbes. Il se rappelle en particulier avoir vu sa voisine, avec qui il avait toujours entretenu de bons rapports, mettre le feu à sa maison. De même, la majorité des destructions par explosif furent le fait de villageois serbes.
- Aux dires du témoin, cette même voisine aurait, le jour de l'invasion du village par les troupes serbes, abattu trois femmes.
- Alors que la majorité des hommes de Kamicani étaient déportés, les femmes, les enfants et les personnes âgées étaient contraints d'abandonner le village et de se réfugier au hameau de Sivci.
- Au cours de la fuite du village, des miliciens serbes violèrent une voisine du témoin, agée d'une vingtaine d'années. La jeune femme subit les outrages de plus de vingt soldats.
- Par ailleurs, la fille de 21 ans d'un parent du témoin, détenue au camp de Trnopolje, a été violée à plusieurs reprises par des miliciens.
- Le 14 juin 1992, des miliciens serbes entreprirent d'arrêter et de déporter tous les hommes encore libres de leurs mouvements (environ 1000 personnes). Lors de ces arrestations, les soldats forçaient leurs prisonniers à se coucher sur le ventre et à porter les mains sur la nuque. Fouillés et dépouillés de leur argent et valeurs, ils étaient aussi contraints de chanter des airs panserbes. Les miliciens n'hésitaient pas non plus à les frapper à coups de crosse et à coups de pied.
- A la fin juin 1992, les Serbes entreprirent le nettoyage ethnique complet de la région en déportant toutes les femmes et leurs enfants ainsi que toutes les personnes âgées. Placés dans des convois ferroviaires, les déportés voyagèrent dans de très mauvaises conditions en direction de la ligne de front tenue par les soldats bosniaques. Le témoin rapporte que pendant le trajet, les passagers ne purent se ravitailler en vivres ou en eau et furent contraints de rester enfermés des heures durant en plein soleil d'été.

Témoin 255 400

- Aux dires du témoin, les dix-sept mosquées que comptaient Prijedor, Kozarac et les villages environnants ont été détruites lors de l'invasion militaire serbe.
- Il rapporte avoir vu à Kamicani, dans une maison voisine de la mosquée du village, six cadavres de civils qu'il connaissait. Selon ses observations, les victimes auraient été tuées par l'explosion d'une grenade.
- Au cours de l'attaque du bourg, l'oncle du témoin a été tué par un franc-tireur.

Témoin 255 406

- Le témoin raconte que le bourg de Kamicani/Kozarac n'était pas défendu lorsque les forces serbes l'attaquèrent. Il estime qu'en l'espace de 24 heures, pas moins de 4000 obus furent tirés. Après les bombardements, une partie des habitants fut chassée en direction du village de Sivci, tandis qu'une autre partie, des hommes âgés de 18 à 60 ans, étaient arrêtés et déportés.

Témoin 255 431

- Le témoin rapporte que les Serbes procédaient de manière très violente à l'arrestation des villageois. Il fut lui-même frappé sur la tête à coups de botte et saigna des oreilles.

Témoin 255 470

- En mai 1992, Kozarac fut bombardé pendant 24 heures. Plus de 5000 obus et grenades furent tirés sur le bourg qui n'était défendu que par quelques membres de la police locale.
- Du 24 au 26 mai 1992, le témoin et d'autres civils se réfugièrent dans la forêt du parc national voisin. Au matin du 26 mai, sous la menace des miliciens serbes, les réfugiés se dirigèrent vers une position tenue par deux blindés serbes et une troupe d'environ deux cents soldats. Les hommes de 18 à 50 ans furent séparés du reste des autres civils. Parmi ceux-ci les miliciens se saisirent de ceux qu'ils connaissaient personnellement, plusieurs dizaines de personnes, et les conduisirent dans une demeure proche de celle que le témoin possédait. Il rapporte que peu après, il entendit retentir des rafales d'armes automatiques. Selon ses informations, pas moins de soixante-dix civils furent abattus. Les hommes qui n'avaient été que blessés lors des premiers coups de feu furent soit achevés d'une balle de pistolet, soit égorgés.

Témoin 255 495

- Après l'attaque de Kozarac, le témoin, avec d'autres villageois, tenta de fuir du bourg et de se rendre à Prijedor. En route, il fut arrêté par des unités blindées serbes et put voir un milicien serbe égorger un civil.

Témoin 256 836

- Un voisin serbe du témoin, un certain V. L., ordonna à toutes les familles du quartier de remettre leurs armes aux miliciens serbes. Il accompagna son ordre d'une menace d'exécution pour tous ceux qui y contreviendraient.
- Par ailleurs, le témoin rapporte avoir vu ses deux cousins être arrêtés et emmenés par les miliciens. Ils n'ont jamais réapparu depuis lors.

Témoin 258 901

- Le témoin a vu, lors de la prise de la ville, les soldats serbes tirer sur les civils qui tentaient de s'enfuir dans les forêts avoisinantes.
- Le commandant des unités serbes, un dénommé R. Z., ordonna aux habitants de se rendre à pied à Prijedor en passant par le village de Kozarusa. En cas de refus, il menaça de détruire et de brûler tout le bourg.

Témoin 259 956

- Le témoin rapporte que le commandant qui ordonna l'attaque de Kozarac était le Major R. Z. C'est lui qui commanda de tirer au canon de char et au canon anti-aérien sur le bourg. Il affirme aussi l'avoir entendu lancer à la radio un ultimatum aux villageois en leur enjoignant de déposer les armes et de se rendre à pied au village voisin de Kozarusa. Là, les civils furent séparés. Les femmes furent laissées libres, tandis que les hommes étaient déportés au camp de Keraterm.
- A Kozarusa, le témoin fut le spectateur du meurtre de trois Musulmans, A. B., S. J. et un certain M., égorgés par deux miliciens. Après la commission de ces crimes, il se rappelle avoir vu les Serbes essuyer avec ostentation les couteaux ensanglantés sur leurs vêtements et les replacer dans leurs fourreaux.

Témoin 260 586

- Le témoin rapporte que le 27 mai 1992, lors de l'entrée des soldats serbes dans le quartier où il résidait, les hommes n'appartenant pas au groupe ethnique serbe furent séparés des femmes et des enfants, et déportés au camp d'Omarska.
- Pour contraindre les habitants à se rendre, les forces militaires serbes menacèrent de mettre le feu à toutes les habitations du quartier en cas de velléité de résistance.
- Lors de son arrestation, le témoin vit les troupes serbes frapper à coups de crosse puis exécuter six policiers qui venaient de se rendre après avoir en vain tenté de résister par les armes pour défendre Kozarac.

Krasulje (commune de Kljuc)

Témoin 258 609

- Les troupes serbes attaquèrent Krasulje le 31 mai 1992. Lors des interrogatoires qui suivirent l'arrestation des hommes du village, les miliciens frappèrent leurs prisonniers à coups de matraque et de chaise.

Modrica:

Témoin 266 565

- Le témoin rapporte que peu après son arrestation, il fut torturé par des miliciens serbes qui lui brisèrent trois dents avec un couteau. Plus tard, lors d'un interrogatoire, ils lui écrasèrent huit doigts en lui faisant claquer une porte sur les deux mains.
- Le témoin fut aussi blessé à coups de couteau et vit ses plaies sanguinolentes saupoudrées de sel.
- A l'occasion d'une autre séance de torture, les miliciens serbes lui arrachèrent son pantalon et le circoncirent à l'aide d'un couteau.
- Le témoin a vu dix-neuf de ses codétenus mourir des suites des tortures qu'ils avaient subies.

Prijedor:

Témoin 256 996

- Le témoin rapporte que le 30 mai 1992, quelques heures après sa détention et alors qu'il était contraint de monter à bord d'un autobus qui devait l'emporter vers le camp d'Omarska, il vit un milicien choisir au hasard cinq personnes et les abattre sans autre forme de procès à l'arme automatique.

Sanica (commune de Kljuc):

Témoin 256 833

- Le 26 juin 1992, des miliciens serbes masqués épurèrent le village de tous les civils non-serbes. Les hommes furent obligés de se rendre au village de Gornja Sanica où ils furent enfermés trois jours durant, sans manger, dans l'école communale.

Témoin 258 901

- Au cours de la prise du village, les miliciens serbes ordonnèrent à tous les habitants de quitter leur maison et de se regrouper, en les menaçant de mort, s'ils ne s'exécutaient pas. Lors de leur arrestation, les hommes étaient frappés à coups de crosse de fusil. Les miliciens les obligeaient aussi à passer au travers d'une haie de miliciens qui les frappaient sur le dos et sur la poitrine.

Sanski Most:

Témoin 257 214

- Le 18 avril 1992, la commune fut occupée par les forces serbes. Se contentant, dans un premier temps, d'exclure les Croates et les Musulmans des fonctions publiques et de les forcer à quitter la ville, les Serbes entreprirent dès le début mai de bombarder au mortier deux quartiers habités par des Musulmans (Hasana Kikica et Krajiske Brigade). Puis, ils rassemblèrent tous les civils non-serbes (environ 3000 personnes) qui résidaient encore à Sanski Most. Les femmes et les enfants furent emmenés au village de Bihac, et les hommes détenus dans une halle de gymnastique.

- La mosquée de la ville fut détruite dès les premiers jours de l'occupation militaire serbe.

- Le témoin a passé les douze premiers jours de son détention dans un garage de 20 mètres carrés, enfermé avec 34 autres détenus. Les gardiens le frappaient chaque jour à coups de gourdin. Une nuit, ils voulurent le contraindre à violer une jeune fille de 13 ans. Refusant de se soumettre, il fut battu jusqu'à en perdre conscience. Un des tortionnaires se nommait M. et était originaire du village de Klevic.

DEUXIEME PARTIE: CAMPS DE CONCENTRATION

- Ce paragraphe, basé sur les témoignages des personnes entendues, traite des différents camps de concentration dans lesquels des témoins ont séjourné. Dans l'ordre alphabétique, il les situe, présente leur configuration, les conditions de détention et, par numéro de témoin, rapporte les mauvais traitements, tortures et exécutions qui y ont été pratiqués.

Camp de Keraterm:

- Le camp de Keraterm se situe dans la banlieue de la ville de Prijedor (nord-est de la Bosnie-Herzégovine). Etabli sur le site d'une ancienne fabrique de céramique, il a, selon les divers témoignages, fonctionné du début 1992 au mois d'août de la même année. Pendant cette période, jusqu'à 1500 personnes y ont simultanément été enfermées dans des conditions exécrables de détention. Outre l'absence de nourriture, d'eau, d'hygiène, les témoins ont fait part d'exactions permanentes et contraires aux droits de la personne humaine. Répartis dans quatre halles, les prisonniers dormaient à même le sol, sans couverture.

Témoin 255 300

- Le témoin, alors qu'il venait de se rendre aux toilettes, fut violemment battu par un gardien qui le frappa dans la région des reins à l'aide d'une tige de métal.
- Il rapporte qu'une nuit, F. F., caviste à Hambadine Polje, fut torturé par un groupe de soldats, dénommé groupe Z. et dirigé par un certain Z. Une plaque de céramique, sur laquelle des miliciens serbes sautaient à pieds joints, lui avait été placée sur le ventre. Ce sévice dura une heure et demie avant que la victime ne fut ramenée auprès de ses codétenus. Elle devait mourir quelques deux heures plus tard.
- Une autre fois, des hommes du groupe Z. battirent à mort le policier de réserve E. B., originaire du village de Kozarac. Un des tortionnaires, D. K., dit D., se trouvait être un ancien camarade de classe du témoin.

Témoin 255 309

- Après son arrestation, sur la route qui le menait au camp de concentration, le témoin assista impuissant au meurtre de son frère. Celui-ci avait osé se plaindre de son sort et fut sans autre forme de procès abattu d'une balle dans la tête
- A son arrivée à Keraterm, le témoin fut battu et torturé. Il eut la bouche et les oreilles coupées, une côte cassée et l'ouïe endommagée par des coups reçus sur la tête et assenés à l'aide de tiges de métal.
- M. S., codétenu voisin du témoin, fut une nuit appelé par les frères B. Emmené dans la halle 5, torturé et frappé à l'aide de gros câbles, il devait mourir le matin suivant.

Témoin 255 339

- Le témoin déclare qu'il était détenu avec 560 autres prisonniers dans une halle fermée et surchauffée. Il ne buvait et mangeait qu'une fois par jour. Chaque nuit, une dizaine de détenus étaient torturés pendant deux heures environ. Médecins, professeurs, enseignants ou commerçants, ils étaient choisis en fonction de leur formation académique ou de leur fortune présumée. Le témoin se rappelle des cris des victimes et pense qu'au moins cinq d'entre elles décédaient chaque nuit.
- Comme le témoin 255 300, il a vu les gardes serbes torturer E. B. Et, une fois la victime agonisante ramenée auprès des autres prisonniers, il l'a assistée dans ses derniers instants. Son corps était noir des coups reçus et tous ses membres avaient été brisés.
- Il a assistée à une séance de torture où le dénommé Z. Z. coupa à la baïonnette le nez, les oreilles, puis la tête d'une victime. De même, il l'a vu tirer à l'arme automatique contre un groupe de prisonniers rassemblés dans une halle.
- Par ailleurs, il rapporte qu'une autre fois, un habitant de Prijedor fut battu à mort par un dénommé B. La victime, dans un premier temps frappée sur la colonne vertébrale avec une barre de fer de plus d'un mètre, se trouva bientôt paralysée avant d'être achevée à coups de poing.
- Le 25 juillet 1992, aux environs de deux heures du matin, le témoin entendit les gardes du camp tirer à la mitrailleuse contre la halle 3 du camp, voisine de celle dans laquelle il se trouvait. La fusillade dura une heure. Après une courte pause pendant laquelle il put entendre les blessés hurler de peur et gémir de douleur, les tirs reprirent. Au petit matin, le témoin vit devant la halle 3, étendus sur l'asphalte, 300 corps répartis en une vingtaine de rangées de quinze cadavres chacune. Il constata aussi que le sol de la halle était maculé de sang.

Témoin 255 431(1)

- Le témoin, au cours de sa déportation au camp de Keraterm, vit un gardien frapper à coups de crosse de fusil un civil, puis lui ordonner de courir à travers champ avant de l'abattre. Il apprit par la suite que les deux hommes avaient été

camarades de classe.

- Comme les témoins précédents, il a vu le policier de réserve E. B. être battu à mort par Z. Z. et ses hommes.
- De même, une nuit du mois de juillet 1992, il entendit les miliciens tirer à l'arme automatique sur une halle voisine de la sienne. Au matin, il dénombra plus de 180 morts.
- Il rapporte avoir vu le gardien B. enfoncer deux couteaux dans le ventre de S.B.
- Selon lui, les soirs où les gardiens avaient bu, les tortures et les meurtres de prisonniers étaient plus fréquents.

Témoin 255 431(2)

- Le témoin rapporte que dans la halle 2 du camp de Keraterm, 800 détenus vivaient confinés dans un espace de moins de 450 mètres carrés. Chaque jour, plusieurs nouveaux détenus arrivaient et réduisaient toujours plus l'espace individuel disponible. Pour permettre à chacun de s'étendre et de dormir un instant, les prisonniers avaient imaginé de diviser la journée en périodes durant lesquelles ils pouvaient, à tour de rôle, soit se coucher, soit s'asseoir.
- Le camp comptait environ 1500 détenus. Les conditions d'hygiène étaient très insuffisantes. Par exemple, seules trois toilettes étaient à disposition. Nombre de prisonniers atteints de dysenterie ne pouvaient se retenir et faisaient leurs besoins à même le sol. La halle dans laquelle le témoin fut enfermé pendant deux mois ne fut nettoyée qu'à une seule reprise. Les détenus ne recevaient qu'une fois par jour une tranche d'un mauvais pain et devaient se contenter d'un peu d'eau. Durant son séjour à Keraterm et suite aux carences alimentaires endurées, le témoin vit ses dents se déchausser et tomber.
- Chaque jour, une quinzaine de prisonniers étaient choisis au hasard par les miliciens et battus à coups de poing, de botte et de crosse de fusil. Ces "actions punitives" entraînaient la mort quotidienne d'une à deux personnes. Un dénommé S., originaire de Prijedor et camarade de détention du témoin, fut un jour violemment battu par deux gardes du camp. Par la suite, il devait sombrer dans le coma et mourir. Selon ses dires, les blessures que la victime portait à la tête et sur le corps étaient si profondes qu'on "aurait pu y plonger la main". Il se souvient aussi que le commandant du camp, qui en ce temps là s'appelait S. et qui avait précédemment travaillé comme responsable dans l'entreprise "D. I. P. C.", assistait à la scène et n'avait rien fait pour empêcher ces tortures. Le témoin ajoute qu'en général, les suppliciés mettaient plusieurs jours avant de mourir, mais que dans la cas de S., la mort était survenue presque immédiatement.
- Le témoin ajoute qu'un jour, 200 personnes arrivèrent ensemble au camp. Placées dans la halle 3, elles furent battues avant d'être abattues ou blessées par balle.
- Le témoin rapporte aussi qu'un gardien dénommé B., originaire de Prijedor, prenait plaisir à lancer des bouteilles de verre vides sur le chef détenu de la halle 3 et ceci jusqu'à ce qu'il tombe. Puis, il l'obligeait à ramasser celles qui ne s'étaient pas brisées et recommençait à les projeter sur la victime. Il vit ce même B. transpercer à la baïonette la cuisse et le ventre d'une de ses connaissances, S. B., accusée d'être membre de l'organisation territoriale

bosniaque.

- Par ailleurs, il témoigne que le gardien Z. Z. battit une fois un détenu nommé Z. K. et qu'il le blessa avec son pistolet en lui tirant une balle à la hauteur du crâne.

Témoin 255 431(3)

- Quelques temps après sa déportation à Keraterm, le témoin vit, dans la halle où il était retenu, un jeune homme qui venait d'être torturé. Il reposait à même le sol, sans aide, ni soin. Ses deux jambes avaient été brisées et son corps était noir et rouge de marques de coups reçus. La victime allait agoniser pendant 9 jours. Au cours de ce laps de temps, elle ne reçut la visite d'un médecin qu'à une seule reprise. Cette consultation avait été précédée par les gardiens d'une série de coups de pied et poursuivie d'autres mauvais traitements.
- Un autre jour, le témoin rapporte avoir vu des gardiens se saisir d'un détenu surnommé S. et l'emmener à quelques lieues du camp. Au passage, il souligne que le commandant du camp, à la vue du groupe de soldats traînant la future victime, avait simplement demandé à ses gardiens d'être "raisonnables". Environ dix minutes après ces faits, les gardes revinrent et annoncèrent à la cantonade que S. pouvait être ramené par ses camarades de détention. Ceux qui furent chargés d'emporter le corps constatèrent la mort de la victime et virent que le cadavre portait une profonde entaille sur le crâne.
- Selon le témoin, les gardes tuaient chaque nuit une à deux personnes. Le plus souvent ils étaient ivres et torturaient ou assassinaient en choisissant leurs victimes au hasard.
- La victime fut frappée à coups de latte de bois sur la tête et saigna abondamment de ses blessures.
- Un détenu, S. B., accusé d'avoir été mitrailleur pour le compte des Bosniaques, fut particulièrement maltraité. Fréquemment frappé, il fut même poignardé à la cuisse par un des gardiens.
- Un autre jour, les gardes D. et B. ordonnèrent aux prisonniers qui avaient possédé des armes dans le passé de s'annoncer. Le témoin qui avait détenu un revolver se manifesta et, avec quelques autres, fut contraint de sortir de la halle où il se trouvait. Après un cour interrogatoire, lui et ses codétenus furent frappés à coups de pied et de bâton pendant plus d'une heure.
- Au mois de juillet 1992, les gardes serbes, pour punir les détenus de la halle 3 qu'ils avaient auparavant battus, décidèrent de les enfermer dans cet espace surchauffé et de les laisser sans boire ni manger. Quelques heures plus tard, les gardes serbes, pour faire taire les plaintes et les gémissements des prisonniers, leur ordonnèrent de faire immédiatement silence s'ils ne voulaient pas se voir tirer dessus. N'obtenant pas le calme qu'ils exigeaient, les Serbes placèrent face à la halle plusieurs mitrailleuses et tirèrent des rafales au travers des parois métalliques de la halle. Aux dires du témoin, près de 150 personnes trouvèrent la mort et une cinquantaine d'autres furent blessées. Le jour suivant ce massacre, toutes les victimes, mortes ou encore en vie, furent chargées sur un camion et transportées en un lieu inconnu. Il affirme aussi qu'à l'instant où l'ordre de tirer a été donné, le commandant du camp, le dénommé S, était présent.

- Le gardien B. venait souvent dans les halles et rackettait les détenus en les menaçant de sévices s'ils ne lui remettaient pas des objets de valeur ou de l'argent.

Camp de Majanca:

- Le camp de Majanca est un ancien domaine agricole. Formé de six hangars de 60 mètres de long sur 30 de largeur, il compta jusqu'à plusieurs centaines de détenus. Selon divers témoignages, trois halles étaient occupées par des habitants de la région de Kljuc et trois autres par ceux de la région de Prijedor/Kozarac. Les conditions sanitaires étaient déplorables et il semblerait que de nombreux détenus soient morts à la suite de maladie. Certains détenus affirment que des cas de typhus sont apparus à Majanca et que le service de santé était largement insuffisant pour répondre aux demandes de soin des civils enfermés dans ce camp.

Témoin 256 833

- Le témoin a assisté, le 28 juillet 1992 aux environs de 20h30, au meurtre d'O. F.. Violemment frappée, la victime devait mourir sous les coups de bâton des gardiens Z. P. et Z.
- Chaque jour, des prisonniers étaient torturés et battus selon une liste établie par la direction du camp de concentration.

Témoin 256 980

- A son arrivée au camp, le témoin et les prisonniers qui l'accompagnaient furent frappés sur tout le corps à l'aide d'un filin d'acier. Ces tortures durèrent environ une heure et beaucoup de victimes s'écroulèrent rapidement. Participait notamment à ces tortures, le gardien Z. B.
- Tous les soirs, 5 à 6 prisonniers étaient choisis par les gardiens et battus. Nombre d'entre eux mouraient au cours de ces séances de tortures.

Témoin 258 609

- Le témoin fut battu à deux reprises les 15 et 16 juin 1992 par un gardien dénommé Z. B., ancien champion de boxe. Usant d'un câble d'acier et d'une matraque, il le frappa dans la région des reins, sur la poitrine et sur le ventre. Recevant jusqu'à plusieurs dizaines de coups, le témoin s'écroula sans force.
- A la fin juillet 1992, le remplaçant du chef du camp, un certain S., se saisit d'un détenu appelé O. F. et l'emmena au centre de commandement du camp.

Pendant ce temps, les autres prisonniers étaient obligés de rester assis, le regard porté sur le sol et les mains jointes sur la tête. Aux dires du témoin, les miliciens serbes s'en prenaient particulièrement aux intellectuels auxquels ils appliquaient tout un rituel pour les interroger et les annihiler en les torturant avant de les assassiner. O. F., qui en était un, fut soumis à un interrogatoire de 3 heures. Puis, il fut conduit dans une cellule individuelle où des miliciens le rouèrent de coups. Le lendemain, deux gardes ramenèrent la victime auprès des autres prisonniers. Portant des traces de coups et de blessures sur tout le corps, et dans l'impossibilité de se mouvoir, F. resta deux jours sur sa couche avant de subir une nouvelle et fatale séance de torture. Le témoin est certain que le tortionnaire qui a tué F. est soit un dénommé S., soit un dénommé B.

- Le témoin rapporte aussi qu'au début de sa détention, les gardiens B., Z., S., Z. et B. choisissaient chaque nuit, aux environs de 22 heures, une dizaine de personnes, à raison de deux à trois prisonniers par halle, qu'ils maltraitaient et battaient parfois pendant plus de trois heures.

Témoin 258 901

- Au lendemain de son arrivée au camp de Majanca, le témoin fut battu sans raison, et à coups de botte, par une bande de miliciens ivres.
- Chaque soir, aux environs de 21 heures, des miliciens serbes extérieurs au camp venaient à Manjaca pour choisir au hasard des détenus, pour les frapper et les torturer.
- Le témoin rapporte que le président du parti communiste de Kljuc, M. F., a été battu lors de l'une de ces équipées nocturnes. Au matin du jour suivant, la victime, inconsciente et le corps ensanglanté, fut ramenée auprès des autres détenus et mourut quelques heures plus tard.
- Un jour de l'été 1992, un des responsables du camp, un certain lieutenant Z. B., réunit tous les détenus pour les faire assister à l'exécution d'un soldat croate qui venait d'être arrêté. S'approchant de sa future victime, il lui enfonça son revolver dans la bouche et tira.

Camp d'Omarska:

- Le camp d'Omarska se trouve à une quinzaine de kilomètres au sud-est de Prijedor. Etabli sur le périmètre d'une mine désaffectée, il est constitué de baraquements, de halles et de tunnels de forage. Pour la plupart, les prisonniers étaient des hommes d'origine croate ou musulmane.
  Les conditions d'hygiène étaient très mauvaises, la nourriture et l'eau insuffisantes. Soulignons aussi que les détenus n'avaient pas la place suffisante pour s'étendre.
  Selon les témoins, ce camp compta plusieurs milliers de détenus dont plusieurs centaines moururent soit de mauvais traitements, soit de maladie.

Témoin 255 406

- Le témoin raconte que les prisonniers, à leur arrivée au camp, étaient battus. Les gardiens formaient une haie à la sortie des bus qui les avaient convoyés jusque-là et frappaient à coups de crosse et de canon de fusil les détenus qui en descendaient. Chaque fois que le témoin assista à ces scènes, il dénombra plusieurs morts (jusqu'à cinq).
- Presque toutes les nuits, cinq à six prisonniers étaient choisis au hasard par les gardiens et torturés. La plupart mouraient de leurs blessures.
- Un jour de juin 1992, deux détenus furent contraints sous la menace de couper les testicules de cinq de leurs codétenus. Ils durent ensuite porter les corps des victimes sur le pont d'un camion, puis ils se virent forcés de boire l'eau d'un canal, polluée par de l'huile de poids lourds.
- Une autre fois, les gardiens obligèrent les prisonniers à sauter par-dessus une corde tendue au travers d'un couloir. Ceux qui n'y parvenaient pas étaient battus, parfois jusqu'à la mort.

Témoin 256 814

- Le témoin, à son arrivée au camp, fut conduit à la "maison blanche" (centre d'interrogatoire et de torture d'Omarska) et battu. Il ajoute avoir vu des prisonniers maintenus debout et retenus par une corde autour du cou de telle manière qu'à bout de force, ils s'affaissaient et se pendaient.
- Les prisonniers, pour se rendre à l'endroit qui leur était imparti pour manger, devaient traverser une haie de gardiens qui les battaient. Parfois le sol était recouvert d'huile et les détenus devaient courir sans tomber, sous peine d'être battus.
- A Omarska, aux dires du témoin, pour tuer, les gardiens usaient plus volontiers de barres de fer et d'armes blanches que d'armes à feu.
- Le dénommé M. R., dit K., chef d'une des trois équipes de gardiens du camp, disait tuer de "préférence" les Croates aux Musulmans.
- Le 6 août 1992, 1200 prisonniers furent transférés au camp de Manjaca en un convoi de 17 camions. Le temps était très chaud, les fenêtres des véhicules fermées et les prisonniers n'avaient pas d'eau. Battu tout au long du parcours par des miliciens, le témoin décompta à sa sortie du bus 16 cadavres déposés sur le sol.
- En outre, il rapporte qu'à son arrivée au camp de Majanca, il vit un policier retraité originaire de Prijedor, G. B., se saisir de trois détenus D., N. et A., également de Prijedor et, face aux autres prisonniers, les tuer à l 'aide d'un couteau.

Témoin 256 836

- Cinq jours après son arrivée au camp, quinze gardiens vinrent chercher en pleine nuit le témoin et quatorze de ses codétenus. Dans une halle du camp ils

leur ordonnèrent de se placer sur un rang, puis ils prirent place derrière eux et procédèrent aux préparatifs de leur exécution. Mais, grâce à l'influence d'un milicien serbe qui sut convaincre ses coreligionnaires de ne pas commettre cet acte, les prisonniers furent épargnés.

- Pour manger, les détenus devaient se répartir en groupes de 30 personnes et se diriger en courant vers la cuisine du camp. Tout au long du parcours, des miliciens les frappaient et les faisaient chuter. Parfois, ils mouillaient le sol pour le rendre plus glissant et battaient à coups de barre de fer, de matraque et de crosse de fusil ceux qui avaient le malheur de tomber. D'autres fois, ils choisissaient au hasard des prisonniers et allaient les exécuter aux abords du camp.
- Le témoin rapporte qu'un chef de groupe surnommé K. s'en prenait régulièrement aux intellectuels enfermés à Omarska. Non seulement son groupe et lui les torturaient, mais ils les assassinaient aussi. Il lui arrivait également de procéder à des chasses à l'homme nocturnes dans les proches abords du camp. Choisissant un certain nombre de futures victimes, il les lâchait à travers bois puis commençait sur son tracteur, tous feux allumés, à les poursuivre et à les abattre une à une.
- Le témoin affirme que durant sa détention, pas moins de 1500 prisonniers furent exécutés par les miliciens serbes.
- Le 20 juillet 1992, les gardes Z. D. et M. R. frappèrent les détenus E. K., A. E. et H. J. Sous la violence des coups, les trois victimes, tout en restant conscientes, s'affalèrent. Puis, les tortionnaires ordonnèrent à un jeune homme d'une vingtaine d'années, nommé J., de les castrer. Après quoi, les miliciens forcèrent J. à se coucher sur le dos et l'obligèrent à boire de l'huile de moteur. Ce supplice dura environ trois heures et fut accompli sous les yeux de plusieurs centaines de prisonniers.
- Le 6.8.1992, les miliciens serbes décidèrent de déporter au camp de Manjaca, en un convoi d'une vingtaine d'autobus, une grande partie des détenus d'Omarska. Pendant le voyage, ils restèrent confinés à l'intérieur des véhicules dans une atmosphère surchauffée, sans possibilité de boire et contraints de garder la tête basse. Deux personnes moururent des mauvaises conditions de transport, tandis que dix autres devaient décéder à la suite des coups et des violences subis au cours du déplacement.

Témoin 256 996

- Le témoin rapporte que le surnommé K. était réputé être un des plus cruels gardien-chefs du camp. Chaque fois qu'il s'en prenait à un prisonnier, celui-ci avait peu de chance de rester en vie. Un autre, dénommé Z., dit Z., était aussi craint pour son sadisme.
- Le 6 août 1992, le témoin, avec quatre-vingt autres prisonniers, fut déporté en bus au camp de Majanca. Durant le trajet, 9 détenus furent battus à mort.

Témoin 257 956

- Le 28 mai 1992, le témoin entendit un de ses codétenus, un dénommé A., gémir des coups qu'il venait de recevoir. Alors qu'un milicien lui demandait de se taire, il lui répondit que la chaîne de télévision CNN, un jour, connaîtrait tous les crimes commis par les Serbes. A la suite de cette remarque, le milicien s'empara d'A., le fit sortir de la halle dans laquelle se trouvaient enfermés les autres prisonniers et l'abattit.
- Les détenus restaient parfois cinq jours sans manger. A d'autres occasions, ils étaient confinés pendant plusieurs heures, à plus de 300 personnes, dans des espaces d'environ 40 mètres carrés.
- Chaque jour, un certain nombre de prisonniers étaient choisis au hasard pour subir un interrogatoire et être battus. Les coups leur étaient portés à la tête, dans le dos et sur les reins.
- Dans le camp se trouvait un bâtiment appelé la "maison blanche" qui servait de lieu d'interrogatoire et de torture. Le témoin rapporte que dans une des pièces de ce centre, des couteaux qui avaient été placés verticalement mutilaient les détenus que l'on obligeait à rester le plus longtemps possible suspendus à des cordes et qui, à bout de force, tombaient sur les lames acérées.

Témoin 258 170

- Le témoin assista à l'assassinat de son neveu tué par un gardien dénommé G. B. Il rapporte que le milicien tira une première balle dans la tête de la victime et qu'un deuxième soldat, voyant le corps secoué de spasmes, donna le coup de grâce. Aux dires du témoin, le meurtrier et sa victime habitaient le même village et, avant les hostilités, avaient été des amis.

Témoin 259 956

- Le témoin, lors de son transfert du camp de Keraterm à celui d'Omarska, a vu le dénommé Z. abattre un homme, A. D., frappé d'une crise d'épilepsie.
- Lors des interrogatoires qu'il subit, le témoin fut contraint de s'agenouiller, de mettre les mains sur la tête et de porter son regard au sol pour ne pas voir ses interrogateurs. De violents coups de pied lui étaient administrés dans le dos, à hauteur des reins.
- Le 20 juillet 1992, les miliciens T. D., de Kosarac, M. R., instituteur à Kosarac, R. V., chauffeur et A. R., chauffeur, s'emparèrent à coups de crosse de fusil et de matraque des détenus E. K., policier à Kozarac, E. A., cousin du témoin et J. H. également de Kozarac. Puis, ils forcèrent un autre prisonnier, D. J., décrit par le témoin comme un simple d'esprit, de commettre des abus sexuels sur les trois victimes. Après quoi, ils lui ordonnèrent, sous la menace d'un pistolet, de les castrer. Le jour suivant, deux des suppliciés à l'agonie et le corps du troisième étaient chargés sur le pont d'un camion et emportés en un lieu inconnu.
- Des assassinats de détenus étaient perpétrés chaque nuit. Mais le nombre des victimes croissait chaque fois que le dénommé M. R., dit K., prenait le

commandement de la garde.

Témoin 259 964

- Le témoin rapporte que lors de l'arrestation de son père et de son transfert au camp d'Omarska, le milicien Z., dit Z., frappa un détenu à l'aide d'un fusil avant de l'abattre.
- Il ajoute qu'au cours de son transfert à Omarska, il vit un prisonnier frappé d'une crise d'épilepsie vouloir sortir du bus et se faire abattre par un garde.
- A son arrivée au camp, le témoin fut enfermé avec plusieurs centaines d'autres détenus dans une halle de 100 mètres carrés. Quelques instants après, le dénommé Z. apparut et ordonna à H. J., à I. D. et à E. K. de le suivre. Hors de la halle, les trois hommes furent, sous les yeux de leurs codétenus, battus à coups de crosse de fusil. Ployant sous la violence des coups de leurs tortionnaires, ils s'affaissèrent. Après quoi, les miliciens les prirent et les jetèrent brutalement en bas d'un escalier de cave. Même si les victimes disparurent de son champ de vision, le témoin pu encore percevoir les cris de douleur des victimes, avant d'entendre retentir plusieurs détonations d'armes automatiques. Le témoin ne revit jamais les trois malheureux.
- Selon les dires du témoin, les gardiens d'Omarska venaient chaque soir chercher une dizaine de détenus qu'ils emmenaient hors des halles, puis qu'ils torturaient et qu'enfin ils chargeaient mourants ou déjà morts sur le pont arrière d'un camion. Le véhicule se dirigeait ensuite vers une décharge de la région de Mamuze où les corps étaient enterrés. Ce macabre rituel se poursuivit tout au long de la période de détention du témoin.
- Le 6 juin 1992, le témoin fut interrogé par un ancien inspecteur de la police de Prijedor qui lui demanda s'il possédait des armes ou s'il avait participé à des actions contre les Serbes. Affirmant ne rien posséder et niant toute participation à des coups de main contre les Serbes, le témoin fut contraint de se mettre à quatre pattes et fut frappé sur tout le corps. Au cours de cette séance de torture, il reçut toute une série de coups sur les reins et eut la mâchoire fracturée.
- Le 16 juin 1992, les gardes D. T., M. R. de Kozarac, un certain A. de Prijedor et un quatrième milicien inconnu du témoin appelèrent les quatre détenus suivants: A. E., E. K., J. H. et F. H. Placés devant une halle, face aux autres prisonniers, ils furent frappés à coups de crosse de fusil et de barre de fer. Il leur fut ensuite ordonné de se coucher sur le sol où ils furent battus de plus belle. Le témoin se souvient avec effroi des hurlements de mort des quatre victimes et revoit ses camarades de détention porter instinctivement les mains sur les oreilles pour ne plus entendre ces cris. La scène dura une quinzaine de minutes. Puis, les tortionnaires se saisirent au hasard d'un cinquième prisonnier, E. J., et ils lui ordonnèrent de traîner une à une, par les chevilles ou par les mains, les quatre malheureux. Contraint de traverser une haie de miliciens qui frappaient encore leurs corps gémissants, J. devait les déposer quelques mètres plus loin. Il fut forcé de recommencer plusieurs fois cette besogne. Après quoi, les Serbes lui firent boire un demi-litre d'huile de moteur, puis ils le contraignirent à retirer les pantalons et les slips des quatre suppliciés. A cet instant, le témoin ne put plus voir directement la suite des faits qu'il

rapporte. Mais il entendit encore un gardien ordonner à J, au milieu des rires de ses collègues, de commettre des abus sexuels sur chacune des victimes. Il assure aussi que pour le contraindre à agir, les miliciens menacèrent de l'abattre s'il ne s'exécutait pas avec plus "d'empressement". Puis, ne se contentant pas de ces violences, ils lui intimèrent de castrer les quatre victimes. Les hurlements de douleur retentirent à nouveau à travers tout le camp. Aux environs de 18 heures 15, tout était fini, J. rentrait à moitié nu et traumatisé dans la halle où l'attendaient les autres prisonniers. Les corps des suppliciés reposèrent toute la nuit devant la halle et ne furent chargés sur un camion qu'au petit matin. Aux dires du témoin, deux des victimes, A. et K., vivaient encore à cet instant et ce sont finalement des gardes qui mirent définitivement un terme à leurs jours en tirant une balle dans la tête de K. et en tranchant à la baïonnette celle d'A.

- En juillet 1992, un garde serbe, dénommé Z. M., entraîna un détenu, M. S., derrière un bâtiment du camp. Peu de temps après, le témoin l'entendit se vanter auprès de ses camarades miliciens d'avoir une fois encore tué un Croate. Ensuite, des prisonniers furent chargés d'aller chercher le corps et de le faire disparaître. Mais avant qu'ils n'aient pu l'emporter, Z. M., pour s'assurer que la victime était vraiment morte, lui tira encore une balle dans la tête.
- Le témoin, au cours de sa détention à Omarska, put constater que les Serbes laissaient fréquemment le corps des détenus morts sous la torture, de maladie ou de faim, traîner à même le sol pendant plus de 24 heures.

Témoin 260 586

- Le témoin rapporte que son voisin de couchette, S. S., décrit comme une personne aisée, fut interrogé et torturé à coups de poing, de barre de fer et de crosse de fusil pendant cinq à six nuits consécutives. La victime avait le corps tuméfié et ensanglanté, et elle mourut de ses blessures.
- Comme plusieurs centaines d'autres prisonniers d'Omarska, le témoin a personnellement assisté à une partie du supplice de castration que subirent quatre de ses codétenus. Selon ses dires, le gardien T. a été l'instigateur et l'auteur principal de ce méfait. Le témoin pense qu'en commettant ce crime, T. voulait se venger en humiliant, en torturant et finalement en assassinant ces hommes qu'il connaissait depuis longtemps.
- Le témoin affirme que tous les prisonniers, lors de leurs interrogatoires, étaient torturés. Mais ceux qui étaient présumés avoir des richesses l'étaient plus souvent et plus cruellement. Les gardiens d'Omarska cherchaient toujours à se faire remettre leurs biens.
- Le témoin a été frappé deux fois durant sa détention. La première fois ce fut à l'occasion de son interrogatoire au camp d'Omarska, la seconde fois, à l'occasion de son transfert au camp de Majanca.

Témoin 264 853

- Le 6 juin 1992, le témoin vit des miliciens s'emparer d'A. J., lui enfoncer une broche à travers le corps et le faire griller, encore vivant, sur des pneus en

flamme.

- Le témoin rapporte qu'à la mi-juin 1992, quatre prisonniers, sous le regard de 850 de leurs codétenus, eurent les testicules coupés.
- Le 28 août 1992, à l'occasion du transfert en bus de plusieurs dizaines de prisonniers du camp d'Omarska au camp de Manjaca, le témoin vit un milicien abattre à bout portant un prisonnier. Quatre autres prisonniers moururent des coups qu'ils reçurent de leurs gardiens ou des civils serbes qui, à chaque halte, montaient à bord du car et les frappaient.

Camp de Trnopolje:

- Le camp de Trnopolje est situé sur un ancien complexe scolaire de la ville de Prijedor. Les détenus étaient répartis dans les différentes salles de cours et sur les terrains attenants. La majorité des détenus étaient des hommes, mais des femmes et des enfants se trouvaient aussi dans le camp de concentration. Selon les témoins, le camp a compté jusqu'à cinq mille détenus. L'absence d'hygiène était parfois insupportable; les détenus ne pouvaient se rendre normalement aux toilettes et ils étaient souvent dans l'impossibilité de se laver. De même, la nourriture était distribuée en quantité insuffisante et se réduisait le plus souvent à un quignon de pain ou à un maigre brouet. Les conditions de détention s'améliorèrent en août 1992, à la suite des premières visites de délégués de la Croix-Rouge internationale et de journalistes.

Témoin 255 276

- Le témoin a été battu dès son arrivée au camp. Les coups étaient donnés à mains nues et se portaient principalement sur son visage. Il assista aux tortures que subirent, lors de leurs interrogatoires, 50 de ses codétenus. Les tortionnaires voulaient savoir si les victimes détenaient des armes et tentaient d'obtenir d'elles des renseignements sur l'état de leurs biens et de leur fortune. Il affirme aussi que durant sa détention, les gardiens du camp prenaient chaque soir, au hasard, 5 à 6 personnes qu'ils torturaient jusqu'à ce que mort s'ensuive.

Témoin 255 397

- Dans la nuit du 13 au 14 juin 1992, aux environs de 23 heures, 16 jeunes filles, âgées de 12 à 19 ans, furent violées par les gardiens du camp. L'une d'elle était la cousine du témoin.
- A la mi-juillet 1992, six hommes de la famille F. furent sortis du camp et emmenés en un lieu inconnu. Trois jours après leur disparition, les corps des

victimes étaient retrouvés aux abords du camp et enterrés dans une fosse commune par des détenus.

Témoin 255 400

- Le soir de son arrestation et de sa déportation au camp de Trnopolje, le témoin et de nombreux autres détenus furent tabassés par des miliciens serbes qui les accusaient d'être des extrémistes musulmans. De plus, on les força à ramper en leur tirant à quelques centimètres au-dessus de leur tête.
- Dans les premiers temps de sa détention, le témoin affirme avoir assisté à de très nombreuses violences perpétrées à l'encontre des personnes enfermées dans le camp. Nombre de prisonniers avaient le visage tuméfié et le corps constellé de marques de coups et de taches de sang.
- Par ailleurs, fonctionnant comme coiffeur du camp, le témoin rasa la tête de 2000 à 3000 détenus. A l'occasion de cette tâche, il put constater l'importante proportion de personnes qui portaient des traces de sévices. Selon ses dires, les détenus qui provenaient du camp d'Omarska étaient ceux qui se trouvaient dans les plus mauvaises conditions physiques et psychiques.
- Il rapporte qu'avec d'autres prisonniers, il dut participer, sous le contrôle de miliciens serbes, à la fouille de maisons ayant appartenu à des Croates ou à des Musulmans et qu'ils devaient se saisir de tous les objets de valeur en les chargeant sur des camions. Puis les soldats faisaient sauter ou brûler les bâtisses.
- A la fin août 1992, après la visite d'une délégation du CICR, la direction du camp proposa à plusieurs centaines de détenus de se rendre à Zenica, une région encore tenue par des forces musulmanes. Les personnes volontaires furent chargées dans plusieurs bus. Mais au cours du voyage vers Zenica, les Serbes les auraient exécutées en un endroit proche d'un village appelé Vlasic. Le témoin put entendre à la radio croate qu'environ 200 personnes avaient été massacrées.

Témoin 255 425

- Le 15 juillet 1992, aux environs d'une heure du matin, quatre gardiens, que le témoin affirme être D. V., D. T., G. B. et T. V., contraignirent deux jeunes filles d'une quinzaine d'années, M. Z. et M. B., de les suivre dans une pièce attenante à la halle où, en compagnie d'autres détenus, elles dormaient. Ce n'est que vers quatre heures du matin, après avoir été maltraitées et violées, qu'elles furent ramenées auprès des autres prisonniers.

Témoin 255 470

- Du 26 mai 1992 au 1 octobre 1992, le témoin a été interné à Trnopolje. Il rapporte qu'à son arrivée au camp avec d'autres civils, les miliciens se mirent à tirer par-dessus leur tête en leur ordonnant de ramper sur plus de 100 mètres.
- A ses débuts, le camp compta jusqu'à 5000 détenus hommes et femmes. Peu après, les femmes et les enfants furent forcés de vivre aux abords du camp avant d'être déportés en un lieu inconnu.

- Un jour, après l'appel du matin, 8 membres de la famille F. furent emmenés hors du camp. Leurs corps horriblement suppliciés furent retrouvés quelques jours plus tard à proximité du camp et enterrés dans une fosse commune.
- A la même période, un prisonnier dénommé H. S. et trois autres codétenus se rendirent, accompagnés de quatre gardes, à Kamicani pour chercher des vivres. Ils ne réapparurent jamais au camp et furent retrouvés morts, fusillés devant la mosquée du village.
- Le témoin raconte que le camp possédait son centre de torture où les détenus étaient régulièrement battus. Il put constater que plusieurs dizaines de détenus avaient le visage ensanglanté et le corps couvert de traces de coups.
- Une fois, le témoin et l'un de ses camarades, S. K., se virent ordonner par les miliciens de creuser une fosse commune et d'enterrer dix cadavres. A cette occasion, il put constater que certains cadavres portaient des marques de blessures par balle au-dessus des genoux, que des victimes avaient été abattues par une balle dans la tête et que d'autres avaient le visage mutilé ou encore une partie de la calotte crânienne arrachée. Selon les dires du témoin, la fosse se trouverait à environ 200 mètres du camp, sur la route d'Omarska, en direction de Prijedor, dans un jardin planté de cerisiers. Il ajoute que douze autres corps auraient été enterrés dans un jardin voisin.
- Le témoin et l'un de ses camarades de détention, E. D., furent les spectateurs lointains du viol de six jeunes femmes également détenues à Trnopolje. L'une d'elles avait moins de 18 ans et s'appelait G. Ces abus sexuels ont été commis dans le courant du mois de juin 1992 par des soldats serbes.
- A la fin juin 1992, le cousin du témoin, A. F., et trois autres détenus furent contraints par les miliciens serbes de chercher du bois au lieu-dit de Brdjani. Depuis lors, ils n'ont jamais réapparu.
- Le témoin ajoute que la garde du camp était assurée par des équipes de miliciens qui se relayaient tous les sept jours. Toutefois, trois hommes restaient constamment à Trnopolje. Il s'agissait d'un dénommé Z. V., de son vrai nom Z., anciennement pompiste à Kozarac, d'un certain R. Z. et d'un policier militaire appelé F. Le plus brutal était Z. C'est lui qui ordonna au témoin et à l'un de ses codétenus de creuser la fosse commune pour enterrer les dix cadavres suppliciés.
- Le 20 juillet 1992, le major K. annonça aux prisonniers de Trnopolje qu'un convoi d'autobus était organisé pour Travnik, région sous contrôle des forces bosniaques musulmanes, et que ceux qui le voulaient étaient libres de s'y rendre. Au matin du 21 juillet, quatre véhicules emportèrent les volontaires qui se pressaient pour quitter le camp. Mais les quelques 200 hommes qui avaient pu prendre place à bord n'arrivèrent jamais à Travnik. Ils furent assassinés à Vasic.
- Le témoin a remarqué pendant sa détention que le commandant du camp, le major K., ne savait pas faire respecter une discipline militaire aux miliciens qui gardaient Trnopolje. Une hiérarchie parallèle et informelle existait, et permettait tous les abus possibles. En particulier la nuit, les gardiens étaient fréquemment ivres et commettaient sans aucune retenue leurs pires forfaits.

Témoin 256 623

- Le 5 juillet 1992, entre 14 heures 30 et 17 heures, le témoin assista à l'assassinat de quatre de ses camarades de détention par les miliciens S. M., anciennement chauffeur, et C. D., vagabond, originaires de Babici. Les victimes se nommaient F., C. et D. Elles étaient originaires de Kozarac et âgées de 22 à 30 ans (le témoin ne connaît pas leurs prénoms). La quatrième personne se prénommait S. Elle avait 22 ans et était également originaire de Kozarac. Il décrit les faits comme suit: les deux bourreaux, qui à l'évidence étaient ivres, appelèrent les quatre jeunes gens susmentionnés. Puis, ils commencèrent à les battre à l'aide d'une matraque de police et d'un câble électrique. Les victimes saignaient de la bouche. Elles étaient obligées de rester debout et chaque fois que l'une d'entre elles s'effondrait de douleur, les autres devaient la remettre sur pied. Sur ce arriva le Major K. qui ordonna aux deux tortionnaires de ne pas frapper les prisonniers à l'intérieur du camp mais de le faire à l'extérieur. Les quatre malheureux furent conduits à quelques encablures de là, aux abords du centre d'interrogatoire où les tortures reprirent de plus belle. Cela dura environ une heure. Puis, les autres détenus qui assistaient à cette scène furent contraints de réintégrer leurs locaux de détention. Le lendemain matin, lorsque le témoin, en colonne, alla chercher de l'eau, il vit les corps sans vie des quatre victimes. Ils reposaient à l'endroit même où ils avaient été torturés la veille. Dans la journée, les cadavres furent enterrés aux abords du camp.
- Un jour de la fin juillet 1992, aux environs de midi, quatre miliciens serbes vinrent chercher E. Z., ancien voisin du témoin, et lui ordonnèrent de tuer et de dépecer un mouton. Lorsque la tâche fut accomplie, les soldats le menacèrent de lui faire subir prochainement le même sort. Au soir de la même journée, les quatre hommes revinrent chercher E. Z. et l'emportèrent en un lieu indéterminé. Deux jours après ces faits, le témoin et un codétenu, S. S., accompagnés d'un gardien, sortirent du camp pour tenter de trouver des vivres dans les habitations abandonnées. Dans un champ, aux abords de la route qui menait au centre de détention de Trnopolje, ils découvrirent le cadavre torturé d'E. Z. La victime reposait nue sur le dos. Ses parties génitales avaient été sectionnées. Son torse était maculé de taches bleues et elle portait une profonde blessure au niveau du cou.

Conclusion

Les autorités suisses se sont à dessein contentées de transcrire, sans procéder à des investigations d'aucune sorte, les propos des personnes entendues. Par ailleurs, elles sont conscientes qu'avec un nombre restreint de témoins masculins, pour la plupart originaire d'une même région et appartenant pour la grande majorité à une communauté ethnique identique, le rapport omet de refléter les cruels sévices subis par de très nombreuses femmes et enfants, et par les habitants de toutes les communautés ethniques qui vivent dans les contrées secouées par la guerre.

La fonction et le but de ce rapport sont de contribuer à l'information du Secrétaire général des Nations Unies et du Conseil de Sécurité, et de porter à leur connaissance des allégations de graves violations des Conventions de Genève et du droit international humanitaire.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/26738
12 November 1993

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL SUBMITTED IN PURSUANCE OF PARAGRAPH 19 OF RESOLUTION 814 (1993) AND PARAGRAPH A 5 OF RESOLUTION 865 (1993)

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INTRODUCTION

1. The present report is submitted pursuant to paragraph 19 of Security Council resolution 814 (1993) of 26 March 1993 and paragraph A5 of Security Council resolution 865 (1993) of 22 September 1993.

2. Section I of the report describes the general situation at present. Section II reviews the successive stages of the mandate regarding Somalia and takes note of significant events since 31 July 1993, the closing date of my previous report. Section III sets forth my observations.

I. THE GENERAL SITUATION IN SOMALIA AT PRESENT

A. Humanitarian and economic

3. Somalia has come a long way from the devastating famine of 1991-1992. United Nations and non-governmental organization (NGO) assistance has now reached all parts of Somalia including the north-west and north-east.

4. The major problems of the emergency phase have, for the most part, been successfully addressed. There continue to exist pockets of acute nutritional and medical problems, and targeted feeding programmes of dry food distribution need to continue for the foreseeable future. About 1 million affected Somalis require assistance through the provision of shelter, medical care and life-sustaining articles such as clothing, blankets and cooking utensils.

1. Children and education

5. Among the principal victims of the protracted conflict was an entire generation of Somali children denied access to education. As a result of the civil war, all schools were thoroughly stripped of facilities and equipment. Schools and educational institutions have been closed for long periods and many teenagers and orphaned children joined the militia or gangs of looters and armed robbers.

6. In the last six months, NGOs, United Nations agencies and UNOSOM II forces have provided substantial assistance to the education sector. A large number of schools have been rehabilitated with military assistance. NGOs have reopened schools and are paying incentives to school teachers, as well as providing school supplies. The World Food Programme (WFP) is supplying food for work and school lunches. The United Nations Children's Fund (UNICEF) is currently assisting 40,000 pupils in schools located in Adado, Afgoi, Baidoa, Bardhere, Belet Weyne, Dusa Mareb, Hoddur, Merca, Mogadishu, Rabdhure and Wajit through the provision of education kits. In the south of the country, nine additional schools were opened in September with UNICEF support, bringing the number of schools in the south to around 51. More than 10,800 pupils are enrolled in classes. Just a few months ago less than 1,000 children in the region attended school.

7. One hundred fifty thousand textbooks are being distributed throughout Somalia. These texts conform to the former core curriculum and cover the Somali language, mathematics, science, Islamic studies and Arabic. One educational development centre has been established in Mogadishu by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and seven others can be functioning by the end of 1994.

8. Teachers are now being identified to design and implement training workshops on teaching methodology, introduction of the new curriculum and management of resources, including textbooks. A scholarship programme for Somali university students to complete their studies abroad has been established and contacts have been made with specialized institutions to get the programme under way.

2. Health

9. Some 32 hospitals are now operating throughout the country as well as 81 maternal and child health (MCH) centres. One hundred and three mobile vaccination teams are covering the country, working towards sustainable immunization coverage. Estimates are that about 75 per cent of children under 5 years of age have received measles vaccination under very difficult operating conditions. Supplies, medicines and other equipment are being made available to hospitals, health centres and pharmacies through United Nations agencies and NGOs.

10. Mogadishu's main water supply system has been rehabilitated to 40 per cent of its pre-war efficiency. City water supply systems in Afgoi, Hargeisa and Berbera have also been rehabilitated. About 60 per cent of Hargeisa's population now has access to clean water, and work will soon begin on a second phase, which will give the whole town access to clean water. Adequate quantities of chlorine tablets are now available throughout the country to disinfect water. Sanitation activities in support of safe water programmes include installation of pit latrines, provision of health education services, a major waste disposal exercise and emergency cleaning of sewerage and drainage systems in Mogadishu.

11. United Nations agencies and NGOs are continuing to pursue sanitation and employment projects with food-for-work programmes. In Mogadishu alone there are 120 such projects that provide food for teachers, hospital and sanitation workers. Other similar projects are supported throughout Somalia.

3. Agriculture

12. Agriculture historically has been responsible for two thirds of Somalia's employment and nearly three quarters of the country's foreign exchange earnings. A good measure of success has been achieved in reactivating food production and the livestock sector. The provision of seeds and agricultural tools, together with good precipitation, has resulted in a substantial increase in the rainy season harvest. The delivery of relief food aid has been adjusted to take into account the availability of local food supplies. Relief organizations also have

been purchasing food in the countryside in order to stimulate local production and to provide seeds for the coming agricultural season to deficit areas.

13. In the livestock sector, the supply of veterinary drugs and the vaccination of animals has facilitated the resuscitation of exports. An estimated quarter of a million head of livestock have been exported since April 1993. Cattle export from Mogadishu has recently restarted.

14. Targeted support in these areas holds great promise for returning large numbers of enterprising Somalis to productive employment. These efforts can help to remove some of the main constraints to expansion and growth.

4. Commerce

15. Commercial and trading activities are showing encouraging signs of recovery. Commercial traffic at Somalia's ports has increased dramatically since December 1992. Civilian ship movements at Mogadishu port increased tenfold in the first half of 1993. Joint ventures between Somali and foreign investments are on the rise. Telecommunication services are now available in parts of Mogadishu. Local companies are also providing fuel throughout the country.

5. Reconstruction and recovery

16. A draft framework for planning of long-term reconstruction and recovery has been prepared by a task force comprising donors, United Nations agencies and NGOs, under the coordination of the World Bank.

17. The purpose of the framework is to ensure that scarce human and financial resources are used to their fullest potential to support the re-emergence of the country as a stable and economically productive member of the international community. Given the fluid nature of the situation in all regions of the country, the process of programme planning and implementation must be a dynamic one, with a coordinating framework capable of responding to changing conditions.

18. The objectives of the framework are as follows:

(a) To establish a common vision of the economic and social reconstruction, rehabilitation and development of Somalia;

(b) To identify criteria and establish priorities for reconstruction and rehabilitation;

(c) To construct a mechanism for coordinated action in an environment of constrained human and capital resources. The mechanism would be available to the future Government of Somalia as a basis for development planning.

19. Somalia will need external assistance to start reconstruction and rehabilitation of essential infrastructure. While international partners have begun to invest in these areas, there is need to agree on priorities for action and a mechanism for coordination. Some interventions made in the relief phase

of the crisis, for example the levels of salaries now paid by numerous agencies, cannot be sustained in the future.

20. On 22 October 1993, the third informal meeting of donors, United Nations agencies and NGOs, organized by the World Bank, was held in Paris. Participants reviewed the draft framework and discussed the next steps. It was clear that continuing reconstruction in Somalia will be possible only in the context of movement towards a stable and generally acceptable political environment. The Somali people must contribute to the design of the framework and eventually take ownership of the planning process.

21. Relief, rehabilitation and reconstruction efforts are central components of the overall attempt to assist Somalis to rebuild their country. In aspects of these efforts, the sustained support of the international community is critical, especially in this period of transition from relief to rehabilitation.

6. Refugees and resettlement

22. Humanitarian agencies have worked effectively in coordinating approaches to the issue of resettlement. An agreement is now in place on providing support for resettlement efforts. This agreement is based on the following:

(a) The focus should be on community capacity to create a welcoming environment for returnees;

(b) The decision and timing of return must be freely determined by the returnees themselves.

23. As many as 1.7 million people were forced to leave their homes as a result of the turmoil and the famine in Somalia. Of these, more than 1 million crossed into Kenya and Ethiopia. Over 250,000 persons moved to Mogadishu, and about 60,000 persons to Kismayo and Baidoa. The northern regions are supporting at least 250,000 refugees and internally displaced persons.

24. The number of refugees returning from camps in Kenya is increasing. It is estimated that about 70,000 refugees in the Mombasa area have returned by boat to Kismayo, Mogadishu and Bossasso. Assistance is being provided to approximately 800 refugees a week returning to the Gedo region and to those spontaneously moving into the Lower and Middle Juba areas. It is estimated that these latter areas will receive the greatest number of refugees per square kilometre.

25. Until recently, political tension both in Dobley and around Kismayo precluded the spontaneous return of refugees and displaced people to the Lower and Middle Juba. Agreements reached between elders in Dobley, the recently completed peace conference in Kismayo and the successful resettlement of more than half of the Kismayo displaced have increased the attraction of early return to home areas.

B. Political

1. District councils

26. My Special Representative and his staff continue their strenuous efforts to rebuild political institutions in Somalia. Thirty-nine district councils have been established so far out of a total of 73 districts, excluding the districts in the north-west and Mogadishu. In Mogadishu, consultations have begun on the establishment of district councils.

27. Training programmes for district councillors, which focus on various aspects of leadership, management and development, have been conducted for the district councillors from eight regions of Somalia with the assistance of the Life and Peace Institute of Sweden and the Eastern and Southern Africa Management Institute. As of 17 October, 651 councillors from 31 district councils had participated in the programmes. The Nordic countries are also providing administrative starter kits to help the councils.

2. Regional councils

28. Regional councils have been established in six areas. I expect more regional councils to be inaugurated soon, moving Somalia closer to the January 1994 goal of establishing its Transitional National Council (TNC). In the meantime, a consultative body to UNOSOM II, which would include representatives of the factions, would be formed as soon as a majority of the membership of TNC has been nominated by the regional councils. Such a body would be named the Somali National Consultative Council (SNCC) and could, among other things, serve in an advisory capacity to UNOSOM II by providing its views on major national and regional issues and help to prepare for convening of TNC. Its advisory function would cease immediately after TNC is established. While SNCC, in its proposed form, was not anticipated by the Addis Ababa agreement, I believe its formation would not contradict the letter and spirit of the agreement as long as it enjoyed the support of the regional councils.

3. National reconciliation

29. In continuation of efforts described in my earlier report, UNOSOM II has continued to sponsor efforts towards reconciliation among the Somali people.

30. In the north-east and central regions - from Bossasso to Galkayo - my Deputy Special Representative and UNOSOM II political affairs officers have facilitated the reconciliation of two competing wings of the Somali Salvation Democratic Front (SSDF) leadership in the area. The success of this effort, if sustained, will lead to greater stability and facilitate disarmament and reconciliation among other factions and clans in the central region. Efforts towards the reconciliation of clans in the north-west in Erigavo also have been supported by UNOSOM II. The Gedo region is inhabited by both Rahaweyn and Marehan clans. The relations between these two clans have been tense as a result of the civil war. UNOSOM II has initiated reconciliation between the two clans.

31. In Mogadishu, UNOSOM II is undertaking a number of efforts to support various initiatives aimed at national reconciliation. Several meetings have been held between UNOSOM II officials and a 47-member supreme committee of the Hawiye sub-clan. These meetings are aimed at bringing together the sub-clans of the Hawiye for a pan-Hawiye conference. From 30 September to 1 October 1993, an all-Somali conference attended by 600 delegates was supported by UNOSOM II. This conference, like others, was part of efforts to reconcile the varying clans in Somalia. Another pan-Hawiye conference took place in Mogadishu from 14 to 16 October 1993 with the participation of Habr Gdir sub-clan. The conference, among other things, called for a peace rally in Mogadishu. Despite UNOSOM II's attempts to discourage it, the march was held on 17 October and provoked inter-clan fighting in Mogadishu.

32. My Special Representative travelled to Berbera in the north-west region on 6 November 1993 and met with Mr. Mohamed Egal and his senior officials. The discussion covered a range of topics, including assistance to the police, justice and penal systems, the disarmament/demobilization effort and the participation of the delegation of the north-west region in the Fourth Coordinating Meeting on Humanitarian Assistance for Somalia scheduled to be held in Addis Ababa from 29 November to 1 December 1993.

33. It will be recalled that, on 1 October 1993, I wrote to the President of the Security Council (S/26526) regarding the request made by Mr. Egal's administration for UNOSOM II's withdrawal from the north-west region by 2 October 1993 and sought the guidance of the Security Council on how to proceed in view of the security concerns and given the fact that the mandate of UNOSOM II was under Chapter VII of the Charter. In his reply (S/26527), the President informed me that the members of the Council had expressed the hope that UNOSOM II would be able to continue its work in the region using all peaceful means, and had expressed the confidence that I would take the necessary precautions for the safety and protection of all United Nations personnel deployed in the region. As members of the Council are aware, the authorities in the region did not pursue the matter further and United Nations personnel continue to assist the people of the region. The recent visit of my Special Representative to the region has helped to clarify the issue further and the relationship between Mr. Egal's administration and UNOSOM II has been strengthened.

4. Police

34. Following Council approval of recommendations in my previous report (S/26317), UNOSOM II has continued to support small locally based police forces in the UNOSOM II areas of operation and has provided some support to police forces in the north-east and north-west regions. During the past six months, 5,000 former Somali policemen have been hired to assist in the performance of police functions. Three thousand were recruited in Mogadishu area and 2,000 in the various regions. These programmes are being funded from the UNOSOM II budget. UNOSOM II is in the process of finalizing a police training programme that should provide basic training for a large number of Somali policemen who would assist in the maintenance of law and order. Police experts from Italy, Canada and the United Kingdom of Great Britain and Northern Ireland also have arrived and in coordination with UNOSOM II, are formulating assistance

programmes which their respective Governments could implement. The United States of America has announced a US$ 6 million grant for the re-establishment of the Somali judicial and penal systems, as well as a US$ 2 million assistance programme for the police force and up to US$ 25 million-worth of equipment, as required. Norway has contributed $1 million and several other Governments have also indicated interest in assisting this programme.

35. UNOSOM II has started discussions with district and regional councils throughout Somalia regarding communications equipment, vehicles, uniforms, renovation of police stations, court houses and prisons, and the payment of salaries of policemen, judges, magistrates and custodial corps for a limited period of time.

5. Information

36. A crucial part of UNOSOM II's work continues to be its informational services. These convey news of such positive developments as the establishment of district and regional councils, the reopening of courts, and the restoration of normal economic activity. Radio Maanta broadcasts a 45-minute programme daily. The newspaper Maanta has the largest circulation in the country, with 31,000 Somali-language copies. I pay tribute to the Somali radio and newspaper staff, whose work has been invaluable in conveying the message of progress to the people of Somalia. Reporters, translators, printers and distributors continue to carry out their duties despite the loss of life of several of their colleagues and death threats to themselves.

C. Security

37. By mid-1993, the security situation throughout most of Somalia had vastly improved in comparison with 1992; it offered the potential for the eventual achievement of true stability. In subsequent weeks, however, as coercive measures of disarmament ceased and outbreaks of violence did not meet with effective responses, the situation became uncertain. Since the 9 October unilateral cessation of hostilities by the United Somali Congress/Somali National Alliance (USC/SNA), the situation has been generally quiet, but Mogadishu remains tense and, in the capital and elsewhere, major factions are reportedly rearming, apparently in anticipation of a return to widespread fighting sometime in 1994.

1. Disarmament

38. UNOSOM II is seeking to achieve voluntary disarmament, with emphasis on the militias and their heavy weapons. In the past two months some small success has been achieved in disarming militia in the central and north-east regions of Somalia. Through continued contact with political and military leaders of SSDF, limited cantonment of heavy weapons in Gardo or Garowe has occurred but this does not extend to the north-east and central regions. Progress in these regions as well as in the Juba regions of course depends on whether it is believed that the USC/SNA militia no longer poses a threat.

39. In the north-west, the initial process of disarmament, demobilization and retraining of militias is progressing. Approximately 5,000 militiamen are now being retrained at Mandera camp. The United Nations agencies, particularly the United Nations Development Programme (UNDP) and WFP, and NGOs are assisting in this effort. Even though the process has only recently begun, the regional authorities are expected to proceed systematically to enable the demobilized militiamen to become productive members of society. Elsewhere, limited voluntary disarmament has taken place in the Baidoa area, Dobley and many other areas where United Nations forces are established.

40. The desire of the Somali people for peace and security through disarmament is clear. This is a message heard repeatedly as UNOSOM II officials meet Somalis throughout the country. At a peace conference held in Mogadishu on 1 and 2 October 1993 by 12 of the 15 political factions and attended by representatives from all segments of Somali society, including youth groups and women's organizations, the participants condemned the violence against UNOSOM II and called for the simultaneous disarmament of all militias throughout the country in accordance with the Addis Ababa agreement of 27 March 1993.

2. Demobilization

41. Demobilization is a particularly challenging problem in Somalia which has experienced years of conflict and a shattered economy. Many of the militiamen are youths who have been brought up in a violent society and have little experience other than war. Training and rehabilitation will require substantial resources and careful planning, in order to reintegrate them into society. The process may take years to complete, particularly if the economy is slow to recover.

3. Mine clearance

42. Somalia is 1 of the 10 most heavily mined countries in the world. Demining will be indispensable to the rehabilitation and reconstruction efforts for decades to come. The debilitating effects of the widespread and largely indiscriminate nature of mine warfare as it has been conducted in Somalia are felt throughout the entire socio-economic spectrum. Thousands of kilometres of roads, major trade arteries for local as well as international commerce, have been mined, as have traditional pasturage and migration routes used by the nomadic populations of the interior. Urban areas, small airstrips and even local watering holes have been extensively mined, with the heaviest concentration infesting the north-west. A similar danger exists in the north-central and southern areas of the country.

43. UNOSOM II efforts to deal with the Somalia-wide mine problem have been limited by lack of trained staff and the heightened security threat to the UNOSOM II presence and mission. Mine clearing that has been conducted by UNOSOM II military forces has been local in nature and directed primarily at keeping open lines of communication deemed necessary for accomplishing the immediate UNOSOM II mission. A demining effort funded by a consortium of countries and institutions has been taking place in the north-west, and a small

corps of local ex-militia members has been trained as mine clearers. The funding for this venture will expire at the end of 1993.

4. Deployment

44. Over the next four months, the Indian Brigade will be deployed to the Baidoa area of responsibility and the Kismayo area to relieve the French, Belgian, Zimbabwe and Moroccan forces currently operating there. The Zimbabwean battalion will be located in Afgoye, relieving Pakistani forces, which, in turn, are being deployed in Mogadishu. The Moroccans have assumed control of the Merka area of responsibility, relieving two Pakistani companies for deployment to Mogadishu. Nepalese forces, which arrived at the end of October, have been given responsibility for the security of UNOSOM II civilian staff working and living in Mogadishu.

45. Two additional battalions from Egypt have already been deployed; the third battalion and a brigade headquarters are expected to arrive in a few weeks. Pakistan has agreed to strengthen its contingent with a division-level headquarters, a brigade headquarters, one mechanized infantry battalion and a tank regiment. The Egyptian forces will be deployed in the Medina area of Mogadishu, while the new Pakistani forces will reinforce the Pakistani troops now located in the capital. It would be prudent, however, not to discount the possibility of substantial delays or even review of such decisions as well as of additional withdrawals taking place.

46. UNOSOM II plans to expand the Italian area of responsibility as far north as Galkaia, provided that logistical requirements can be met. Any further major expansion will depend on the security situation in Mogadishu and on the availability of appropriate logistics and engineer forces and equipment. If the security situation and disarmament progress sufficiently, it is hoped that some smaller deployments to the north-east will be possible and supportable logistically. Should, however, the security situation not improve, it would not be possible to deploy in that region because of constraints of adequate overall strength of UNOSOM II.

47. The present strength of UNOSOM II is 29,284 all ranks, broken down as follows:

Country	Description	Strength
Australia	Movement control	48
Bangladesh	Infantry battalion	945
Belgium	BDE HQ Infantry battalion	948
Botswana	Infantry company	326
Canada	Staff personnel	4
Egypt	Infantry battalions	1 100
France	BDE HQ Infantry battalion Aviation unit Logistical battalion	
	Total, France	1 107
Germany	Logistical units	1 726
Greece	Medical unit	102
India	BDE HQ 3 infantry battalions Mechanized company Light mortar battery Signal company Medical unit Engineer squadron Logistical company Helicopter unit	
	Total, India	4 937
Ireland	Transport company	79
Italy	BDE HQ 3 infantry battalions Aviation unit Logistical/engineering unit Medical unit	
	Total, Italy	2 576
Kuwait	Infantry company	156
Malaysia	Infantry battalion	871
Morocco	Infantry battalion Support unit	
	Total, Morocco	1 424

Country	Description	Strength
Nepal	Security Company	311
New Zealand	Supply unit	43
Nigeria	Recce battalion	614
Norway	Headquarters company	130
Pakistan	BDE HQ	
	Infantry battalions	
	4 tank squadron	
	Signal unit	
	Supply and transport company	
	Engineering squadron	
	Medical unit	
	Electrical and mechanical engineering workshop	
	Military police company	
	Ordnance company	
	Total, Pakistan	5 005
Republic of Korea	Engineer battalion	252
Romania	Field hospital	236
Saudi Arabia	Infantry battalion	757
Sweden	Field hospital	148
Tunisia	Infantry company	142
Turkey	Infantry battalion	320
United Arab Emirates	Infantry battalion	662
United States	Logistical unit	3 017
Zimbabwe	Infantry battalion	895
	Signal company	63
Military Police Company (composite)		100
Headquarters staff		240
Grand total		29 284

48. There are approximately 17,700 troops in the United States Joint Task Force in Somalia, which do not form part of UNOSOM II and are not under the operational command of the Force Commander of UNOSOM II. This number includes the Quick Reaction Force, which is deployed in support of UNOSOM II.

II. SIGNIFICANT EVENTS AFFECTING UNOSOM II

49. UNOSOM II's record of general progress throughout most of Somalia has been seriously marred by the incidents that took place between 5 June and 3 October 1993. These incidents challenged the cause of disarmament and reconciliation in Somalia, created a situation of instability in South Mogadishu and stimulated factional elements elsewhere to prepare for a future of renewed fighting.

50. UNOSOM II is now at a critical juncture. To understand the present situation, it is important to recall the nature of the mandate as it has evolved over time through the various resolutions of the Council and, in this context, to assess the situation comprehensively in the aftermath of 3 October 1993.

A. Review of the mandate

1. United Nations Operation in Somalia

51. In my first report to the Security Council on the situation in Somalia (S/23693), I noted that the tragic situation in the country was extraordinarily complex. It presented a special challenge to the international community in general, and to the Security Council in particular. I stressed that the problem had eluded conventional solutions. I noted the need to explore new avenues and innovative methods commensurate with the existing humanitarian and political situation in order to facilitate a peaceful settlement. The evolution of the United Nations mandate in Somalia has underscored the complexities involved.

52. Security Council resolution 794 (1992) of 3 December 1992 encapsulated the mandate which the Security Council had entrusted to the Secretary-General in its resolution 733 (1992) of 29 January 1992: to help the Somali parties to establish and maintain a cease-fire, to distribute humanitarian relief and to promote national reconciliation and a political settlement.

53. In resolution 751 (1992) of 24 April 1992, the Council took the further step of agreeing in principle to establish a security force to provide security for humanitarian activities in Mogadishu.

54. In resolution 775 (1992) of 28 August 1992, the Council decided to extend this mandate to cover other areas in Somalia. This was to be implemented, as originally stipulated in resolution 751 (1992), in consultation with the parties concerned. In practice, fulfilment of that condition proved to be impossible. Agreement could not be obtained for the deployment of United Nations forces in areas where the protection of humanitarian operations was most desperately needed. When agreement was obtained, it was violated; and the small unit whose deployment in Mogadishu was agreed to was far from adequate to control the increasingly violent and lawless situation in the city.

55. In my letter of 24 November 1992 to the President of the Security Council (S/24859), I described the deteriorating situation in Somalia and the factors that were preventing UNOSOM from implementing the mandate entrusted to it by the Security Council. I suggested that the basic premises and principles of the United Nations effort in Somalia should be reviewed. In my letter of

29 November 1992 (S/24868), I set out options for the Security Council's consideration. I informed the Council that, if it was to decide to authorize Member States to use forceful means to ensure the delivery of relief supplies to the people of Somalia, the United States had expressed to me its readiness to take the lead in organizing and commanding such an operation, in which a number of other Member States would also participate.

2. Unified Task Force

56. The Council, responding promptly and positively to this initiative, adopted resolution 794 (1992) in which, acting under Chapter VII of the Charter of the United Nations, it authorized the Secretary-General and Member States to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia. Pursuant to that decision, the Unified Task Force (UNITAF) was established and deployed.

57. It was the wish of the Security Council that a transition back to peace-keeping operations be achieved promptly. In this regard, I emphasized that two conditions should be met. First, UNITAF should take action to ensure that the heavy weapons of the organized factions were neutralized and brought under international control and that the irregular forces and gangs were disarmed before it withdrew. Second, and equally essential, the authority entrusted to UNITAF should be exercised throughout Somalia. I stressed at that time that, unless effective action was taken to fulfil those two conditions, the international community's efforts to help the people of Somalia would continue to be at risk from heavily armed and lawless groups.

58. In my report to the Security Council of 26 January 1993 (S/25168), I congratulated UNITAF for rapidly and successfully securing major population centres and ensuring that humanitarian assistance was delivered and distributed without impediment. However, events in Kismayo and Mogadishu during the first half of 1993 demonstrated that the volatile situation continued to exist and that a secure environment had not been established. No deployment of troops took place to the north-east and north-west, or along the Kenyan-Somali border where security was a matter of grave concern. It was against this background that I stressed that, if the Council determined that the time had come to move to another stage in its operations in Somalia, it should be prepared to ensure that UNOSOM was fully in a position to carry out its tasks.

3. United Nations Operation in Somalia II

59. Security Council resolution 814 (1993) of 26 March 1993 acknowledged the need for a transition from UNITAF to an expanded United Nations Operation in Somalia, UNOSOM II. The mandate of UNOSOM II conferred authority for appropriate action, including enforcement action as necessary, to establish throughout Somalia a secure environment for humanitarian assistance. To that end, UNOSOM II sought to complete, through disarmament and reconciliation, the task begun by UNITAF for the restoration of peace, stability, law and order. The mandate also empowered UNOSOM II to provide assistance to the Somali people in rebuilding their shattered economy and social and political life, re-establishing the country's institutional structure, achieving national

political reconciliation, recreating a Somali State based on democratic governance and rehabilitating the country's economy and infrastructure.

60. The substance of resolution 814 (1993) reflected the complexity of the anarchic situation that had developed in Somalia from factional strife, causing prolonged suffering of its people. It was evident that, to reconstruct the country's political, social and material infrastructure on a lasting basis, time, effort and risk would be required.

4. Factional attacks

61. The effective actions of UNITAF and, after 4 May 1993, of UNOSOM II with its expanded mandate led to significant progress throughout most of Somalia. The necessity of achieving disarmament, including by coercive means if necessary, generated resistance by those fearful of losing power.

62. It is in this context that the ambush of 5 June 1993 took place, killing 24 Pakistani soldiers and wounding 40. The bodies of the victims were mutilated and subjected to other forms of degrading behaviour. Security Council resolution 837 (1993) of 6 June 1993 expressed grave alarm at the premeditated armed attacks by forces apparently belonging to USC/SNA against UNOSOM II personnel. Citing resolution 814 (1993), resolution 837 (1993) called for all necessary measures to be taken against those responsible for publicly inciting such attacks, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment. My previous report to the Council (S/26022) contained a description of the 5 June 1993 attacks on UNOSOM II troops and the measures under way to implement Security Council resolution 837 (1993).

63. On 12 July 1993, the United States Quick Reaction Force, under the direction of UNOSOM II, conducted an operation against a major USC/SNA militia command and control centre located in a compound in South Mogadishu known as the "Abdi house". The purpose of the operation was to neutralize USC/SNA command and control capability and to continue disarmament of the hostile SNA militia throughout Mogadishu. UNOSOM II ground forces swept the area for communications equipment, arms and documents. Following the withdrawal of United Nations forces from the site of the operation, journalists from the international press drove to the scene to cover the events. A large crowd of Somalis, some carrying weapons, surrounded the journalists and attacked them. Four journalists were murdered in the course of the attack.

64. On 8 August 1993, while on a routine patrol in South Mogadishu, four United States soldiers serving with UNOSOM II were killed when their vehicle was destroyed by a command-detonated device.

65. In my further report to the Council dated 17 August 1993 (S/26317), I comprehensively described the status of actions taken to implement resolution 814 (1993) of 26 March 1993. I stated that, despite the deliberate attempts of a few factional leaders to prevent UNOSOM II from performing the tasks assigned by the Security Council, the overall situation in Somalia had undergone a major transformation: humanitarian assistance was being delivered; people were going about their normal activities; schools were reopening; land was being tilled;

and local councils of clan leaders were meeting and cooperating with United Nations efforts to help Somalia to re-establish itself.

66. On 5 September 1993, a Nigerian infantry company, which was in the process of taking over from the Italian contingent in Mogadishu, was attacked by gunmen. Seven Nigerian soldiers were killed and 10 wounded with 1 soldier missing. The missing soldier was subsequently released on 14 October; since his release, he has stated that he was tortured during his captivity.

67. On 9 September 1993, Pakistani soldiers were in the process of clearing roadblocks on 21 October Road in Mogadishu, with assistance of army engineers from the United States contingent, when they were ambushed by heavily armed militiamen numbering approximately 300. The UNOSOM forces defended themselves and requested assistance from the United States Quick Reaction Force. One Pakistani soldier was killed and two other Pakistani and three United States soldiers were wounded.

68. On 15 September 1993, two Italian soldiers were killed by snipers in Mogadishu.

5. Resolution 865 (1993)

69. On 22 September 1993, the Security Council, in resolution 865 (1993), reaffirmed all previous resolutions and underscored the importance it attached to the successful fulfilment on an urgent and accelerated basis of UNOSOM II's objectives of facilitation of humanitarian assistance and the restoration of law and order and of national reconciliation in a free, democratic and sovereign Somalia, so that it can complete its mission by March 1995. In that context, the Council requested the Secretary-General to direct urgent preparation of a detailed plan with concrete steps setting out UNOSOM II's future concerted strategy with regard to its humanitarian, political and security activities.

B. The 3 October 1993 incident

70. On 3 October 1993, United States Rangers launched an operation in South Mogadishu designed to capture a number of key aides of Mohammad Farah Aidid who were suspected of complicity in the 5 June attack on Pakistani soldiers, as well as subsequent attacks on United Nations personnel and facilities. The operation was conducted in a highly dangerous area of Mogadishu. It succeeded in apprehending 24 suspects, including two key aides to Aidid. During the course of the operation, two United States helicopters were shot down by militiamen using automatic weapons and rocket-propelled grenades. As the Rangers were in the process of evacuating the 24 USC/SNA detainees, they came under concentrated fire. Eighteen United States soldiers lost their lives and 75 were wounded. One United States helicopter pilot was captured but subsequently released on 14 October 1993. The bodies of the United States soldiers were treated in a most despicable and humiliating manner.

71. The planning and execution of the Ranger operation of 3 October 1993 was decided by United States commanders and carried out by United States forces that were deployed in support of the UNOSOM II mandate, but were not under United

Nations command or authority. Not until the rescue phase of the incident did a multilateral operation take shape.

72. Following the events of 3 and 4 October 1993 the United States reinforced its Quick Reaction Force with a joint task force consisting of air, naval and ground forces equipped with M1A1 tanks and Bradley fighting vehicles. President Clinton announced the intention of the United States to withdraw its forces from Somalia by 31 March 1994.

73. In all these incidents, the bodies of the peace-keepers who lost their lives were subjected to inhuman and insulting indignities. Such shocking behaviour has aroused justifiable condemnation, not only among the troop-contributing countries concerned, but also by the entire international public opinion. At the same time, it is a matter of deep regret that a large number of Somalis also have lost their lives during these encounters. What is particularly deplorable is the use of women and children by the gangs as human shields while attacking UNOSOM II personnel.

74. A total of 740 Somalis were arrested during the course of these operations. Six hundred ninety-eight of them have already been released. Decisions on the remaining 42 will be taken in the near future.

75. On 9 October 1993, USC/SNA declared a unilateral cessation of hostilities against UNOSOM II forces. This has been followed by intensive United Nations efforts toward achieving an adequately stable political and security situation by March of 1994.

C. Steps pursuant to resolution 865 (1993)

76. In resolution 865 (1993), the Council affirmed the importance it attached to the successful fulfilment on an urgent and accelerated basis of UNOSOM II's objectives of facilitation of humanitarian assistance and the restoration of law and order, and of national reconciliation in a free, democratic and sovereign Somalia, so that it can complete its mission by March 1995. In that context, the Council requested the "Secretary-General to direct urgent preparation of a detailed plan with concrete steps setting out UNOSOM II's future concerted strategy with regard to its humanitarian, political and security activities".

77. I travelled to the Horn of Africa region in October to consult with the leaders of the region on UNOSOM II's future concerted strategy with regard to its humanitarian, political and security activities, as requested by the Security Council in its resolution 865 (1993). I had the opportunity to meet with and to discuss in great detail the situation in and relating to Somalia with President Hosni Mubarak of Egypt, President Hassan Gouled of Djibouti, President Daniel arap Moi of Kenya and President Meles Zenawi of Ethiopia. I visited Baidoa and Mogadishu, where I held talks with military and civilian officials of UNOSOM II as well as with Somali elders.

78. During my visit to the region, I also had occasion to attend a meeting convened on 14 October 1993 in Cairo by President Hosni Mubarak, the current Chairman of the Organization of African Unity (OAU), with the participation of the Secretaries-General of OAU, the League of Arab States (LAS) and the

Organization of the Islamic Conference (OIC) in an effort to help to promote peace and reconciliation in Somalia and to lay the groundwork for its continued reconstruction and development. It should be noted also that participants at the meeting were concerned about the consequences of the withdrawal of the United States troops from Somalia by 31 March 1994. In a joint communiqué issued at the end of the meeting, the participants reaffirmed their joint determination to continue their ongoing search for common solutions to the problems of Somalia. They committed themselves to advancing the process of reconciliation and rebuilding begun by Somali leaders themselves and recognized the achievements of the United Nations in providing humanitarian relief and security to most of Somalia. The Cairo meeting also called for the setting up of a trust fund for the rehabilitation and reconstruction of Somalia and urged all countries of Africa, the Arab world and the Islamic community to contribute generously to its establishment and operation.

79. I have decided to convene the Fourth Coordination Meeting on Humanitarian Assistance for Somalia in Addis Ababa from 29 November to 1 December 1993. The meeting will review developments in the humanitarian situation in Somalia since the previous meeting in March and assess the current situation with a view to reaching agreement on actions that need to be taken in the immediate future, to include measures to enhance the transition from relief assistance to reconstruction and rehabilitation activities. The conference will also provide an opportunity to begin consultations on more long-term development planning. As in the previous humanitarian meetings, participants will include countries, regional organizations and relevant United Nations and other international organizations. Every effort will be made to ensure the widest possible Somali participation.

III. OBSERVATIONS

80. For over a year now, the Security Council has responded, in a flexible and creative manner, to the highly complex and continually evolving situation in Somalia. The international community has had no precedent to guide it in dealing with the tragic situation in Somalia. Consequently, the response of the Security Council has had to be adjusted, from time to time, to take into account different circumstances that have not been possible to anticipate. This explains the evolution of the international presence in Somalia from UNOSOM I to UNITAF to UNOSOM II. The wider international community as well as the people of Somalia, by and large, have appreciated the constructive responses of the Security Council.

A. Fact of progress

81. The uniqueness of the situation in Somalia, which riveted the attention of the international community on the situation there and led the Security Council to adopt the various resolutions so far, has changed in some important aspects. The most dramatic and visible change is of course the enormous success in reducing starvation deaths and conditions of famine in the country today. There have been other significant improvements as well in the fields of public health, education, agriculture, etc., which have been detailed in the earlier part of this report. This is not to suggest that the Somali society is completely back

on its feet. Indeed, the situation even in these areas is fragile and needs careful watching as well as continued assistance from the international community.

82. In other important and crucial respects, however, the situation in Somalia continues to be unique. There is still no effectively functioning government in the country. There is still no disciplined national armed force. There is still no organized civilian police force or judiciary, although impressive progress has been achieved in initiating the recreation of the police and judiciary. Consequently, the problems of Somalia must continue to engage the attention of the international community.

B. The importance of disarmament

83. I have always been firmly of the opinion that, without effective disarmament of all the factions and warlords in Somalia, it would not be possible for the country to enjoy lasting peace and stability. The Security Council has endorsed the crucial importance of disarmament in its various resolutions and conferred the necessary mandate on UNOSOM II. The enormous task of disarming Somalia can be achieved only with the cooperation of the Somali people and of neighbouring countries. Comprehensive disarmament will take a long time and will have to be conducted in phases, beginning with the demobilization and rehabilitation of the heavily armed militias. Finding hidden stockpiles of weapons will require the cooperation of the vast majority of the Somali citizens, who must genuinely want to change from rule by the gun to rule by law. The Somali police force will be one of the key instruments for creating the perception that this is a Somali programme. Disarmament must not destabilize the security balance and must equitably reduce the threat to all segments of the population. Clearly we must generate the support of the people, and cooperative methods ultimately are the only way to succeed. Fortunately, the desire for disarmament among the people appears to be strong.

84. It was the universal wish and even hope that disarmament would be achieved on a voluntary basis. This hope was based on the commitment of the Somali parties, embodied in the cease-fire agreement and the Addis Ababa agreement which they signed in January and March 1993 respectively, committing themselves to complete simultaneous disarmament throughout the country. At the same time, the Somali parties themselves had anticipated that the disarmament might not proceed smoothly and that some form of coercive action might become unavoidable. This explains their request to UNOSOM II, contained in the Addis Ababa agreement, to assist in the disarmament process and "to apply strong and effective sanctions against those responsible for any violation of the cease-fire agreement of January 1993".

C. Efforts to achieve dialogue

85. UNITAF achieved commendable results in the distribution of relief assistance in the country. However, the objective of ensuring a secure environment throughout the country had not been achieved nor had adequate numbers of troops been deployed before UNITAF was withdrawn.

86. Voluntary disarmament did succeed to some extent both during UNITAF and in the early weeks of UNOSOM II. It was only after 5 June that it became necessary for UNOSOM II to resort to coercive methods to enforce disarmament in South Mogadishu. At the same time, it is a reality in Somalia that unless USC/SNA also is effectively disarmed along with other factions, the prospects for genuine peace and stability in the country would always remain bleak. In this connection, I welcome the unilateral declaration of cessation of hostilities by USC/SNA with effect from 9 October 1993. This initially led to somewhat reduced tensions in the city. However, threats made by General Aidid in his press conference of 6 November were followed by a demonstration and gunfire on 8 November aimed at preventing United States and UNOSOM II humanitarian and security operations in the city. Such actions raise serious questions about USC/SNA's sincerity.

87. Nothing would please me and UNOSOM II more than if USC/SNA were to respond positively to UNOSOM II's invitation to join the other factions in a meaningful dialogue. In an effort to build on the unilateral cessation of hostilities announced by USC/SNA, UNOSOM II has established a Mogadishu Security Advisory Committee, to which it has invited all the factions. USC/SNA boycotted the first meeting. It sent a representative to the second meeting on 4 November, but its representative used the meeting only to deliver a long speech against UNOSOM II, after which he left the meeting. USC/SNA did not attend the third meeting of the Mogadishu Security Advisory Committee, which was held on 8 November. In addition, after assuring the Ethiopian and United States representatives that it would participate in a smaller group involving the USC, UNOSOM II and the United States, USC/SNA also failed to show up for that separate meeting. In spite of these setbacks, UNOSOM II will persevere in its efforts to establish a dialogue with USC/SNA.

D. The situation in perspective

88. It should be obvious from the above that the situation in Somalia will continue to remain complex and complicated for the foreseeable future. This, in turn, would mean that the Security Council will have to display flexibility as well as firmness in any decision that it will take while renewing the mandate of UNOSOM II. That the mandate of UNOSOM II must be extended is, of course, self-evident.

89. I have given deep thought to what I should recommend to the Security Council in terms of a renewed mandate for UNOSOM II. I have held extensive consultations with my Special Representative and the Force Commander, as well as my senior colleagues at Headquarters. I am conscious that the international community cannot take for granted forever the generosity of the troop contributing countries, their readiness to put the lives of their sons and daughters on the line in pursuit of what is perceived to be a somewhat distant and ill-defined objective and the willingness of the States Members of the United Nations to make the necessary funds available on the present scale. Since, however, it is not for me to presume, in one way or another, the willingness of the Member States to make the necessary sacrifices, I have decided to present three options for consideration by the members of the Security Council.

90. Before I present the options, however, it is essential to put the situation in its proper perspective. The most significant development is that the United States has announced that it will withdraw all its combat troops and the bulk of its logistics support troops by 31 March 1994. The Governments of Belgium, France and Sweden earlier had announced their decisions to withdraw their contingents from UNOSOM II. It remains to be seen whether other troop-contributing countries also decide to withdraw their troops either before or after 31 March 1994. I have written to 42 Member States inviting them to contribute, or to increase their contribution, in terms of troops and logistics support. Here, I would like strongly to reject the insinuations made in some circles that only the troops from Europe and North America have the necessary qualities to implement the mandate given to UNOSOM II. The contingents from other continents have performed with exemplary courage, dedication and efficiency. It is none the less true that, for logistics support, UNOSOM II has had to depend primarily on the United States. The vacuum that would be created by the departure of the United States logistics contingent will have to be filled through other means. I am told that commercial arrangements can be made at a cost of about US$ 33 million for the period ending 31 March 1994; this estimate does not include the cost of the equipment that the contractor would have to acquire from the United States.

E. Three options

91. In the first option, the present mandate of UNOSOM II would remain essentially unchanged as laid down by the Security Council in its resolutions 814 (1993), 837 (1993), 865 (1993) and 878 (1993). UNOSOM II would not take the initiative to resort systematically to coercive methods to enforce disarmament. Indeed, it is the hope of UNOSOM II that all factions, including USC/SNA, will cooperate to ensure peaceful conditions in the country. In Mogadishu, this would mean that USC/SNA would remove its roadblocks and strong points throughout the city so that UNOSOM II is able to escort humanitarian convoys from and into the city. It would also signify that UNOSOM II personnel would be able to move freely throughout Somalia without any danger of being ambushed or subjected to remotely detonated mine explosions. Should these expectations not be met, however, UNOSOM II, under this option, must retain the necessary capability for coercive disarmament and retaliation against attacks on its personnel. UNOSOM II would also pursue its present plans in relation to the re-establishment of an impartial and professional Somali police force and judicial system. The objective would be to create and maintain secure conditions for humanitarian assistance and foster national reconciliation as well as of other elements of the existing mandate.

92. Were the Council to renew UNOSOM II as described above, it should reauthorize the maintenance of its present troop strength. Indeed, I feel that it would be necessary to deploy an additional brigade, the need for which I had mentioned in my previous report (S/26317). In addition, the Member States must fulfil their financial obligations, promptly and in full, which will amount to approximately US$ 1 billion for one year. This option calls for sustained political will on the part of the troop-contributing countries, which must be prepared to make available the necessary troops and armament under United Nations command and to accept the risks associated with such a course of action.

93. In the second option, the Security Council would take a conscious decision that UNOSOM II would not use coercive methods anywhere in the country but would rely on the cooperation of the Somali parties in order to discharge its mandate. UNOSOM II would use force only in self-defence, for the protection of its personnel, in accordance with traditional peace-keeping practices. Disarmament would be entirely voluntary. In the event that inter-clan fighting resumes in different parts of the country, UNOSOM II, while making every effort not to be involved in it, must retain some capability to defend its personnel if so warranted by circumstances. The emphasis would be on ensuring unimpeded flow of humanitarian assistance, rehabilitation of the infrastructure of Somalia, the repatriation of refugees, political reconciliation, the reorganization of the Somali police and judicial system and in keeping the main supply routes between Mogadishu and outside areas secure. As far as Mogadishu itself is concerned, efforts would continue to engage USC/SNA in a political dialogue and the security of the routes in Mogadishu would depend upon the goodwill of USC/SNA, as well as other factions.

94. Under this option, it would not be necessary fully to replace the contingent that would have withdrawn by 31 March 1994 or those that might withdraw soon thereafter. The troop requirement would be of the order of 16,000 all ranks, with one brigade deployed in Mogadishu, one assigned to convoy duty and one for the security of refugees and of critical areas in need of assistance. A Force Logistics Supply Command of about 2,500 all ranks would also need to be established. The financial requirements for this option would be considerably less than the first option.

95. Under the third option, the mandate of UNOSOM II would be limited to keeping under its secure control the airport and port in Mogadishu as well as important ports and airports in other parts of the country so as to keep the supply routes open for humanitarian purposes. UNOSOM II would assist United Nations, intergovernmental and non-governmental organizations in the delivery of humanitarian aid. It would help development agencies and programmes, especially UNDP, in undertaking development projects. It would, of course, continue to assist in the training of a Somali police force. This course of action would presuppose that the local authorities in various regions of Somalia would be prepared to cooperate with UNOSOM II and would provide a secure environment for the humanitarian and development functions mentioned above. The main feature of this option is its emphasis on the regions as opposed to the importance, under the other two options, of bringing about a secure environment in Mogadishu. This option would call for the deployment of about 5,000 all ranks. Under this option, as indeed under the other two options, UNOSOM II would continue to offer its good offices to resolve inter-clan differences and to promote harmony among all the factions. The financial requirement for the third option would be substantially less than the other two options.

96. There could theoretically be one more alternative, namely, a complete withdrawal of UNOSOM II from Somalia. I myself would reject this possibility. The international community must not abandon Somalia in view of the incontrovertible desire of the Somali people for the continued presence of UNOSOM II in their country. Total withdrawal would not be a responsible act.

97. In presenting these options, it is not my intention that the Security Council should pronounce on them or take a decision in favour of one of them at

this stage. I have outlined the options in this report principally to alert the Security Council to the various possibilities as the situation evolves in the coming weeks and months. Nevertheless, I feel that the time might come, fairly soon, for the Council to consider these options and to decide on an appropriate course of action, depending on the prevailing circumstances and the willingness of Member States to provide troops, the necessary finances and, equally important, the required political will.

F. Continuing political effort

98. In the meanwhile, UNOSOM II troop strength is adequate for the present purpose, although logistical capability may diminish somewhat by December 1993. UNOSOM II is not using coercive methods to ensure a secure environment which, by and large, is lacking mainly in South Mogadishu. UNOSOM II will continue to make a determined effort to initiate a political dialogue with all the factions, including USC/SNA. In this, UNOSOM II will seek and welcome support from Somalia's neighbours, Djibouti, Ethiopia and Kenya, and from OAU, LAS and OIC. It is imperative that we all work together, and are seen to be working together, in this important common endeavour. At the same time, UNOSOM II will stand ready to protect its own personnel as well as the personnel of other intergovernmental and non-governmental organizations. UNOSOM II might also have to be prepared to use force to keep open the lines of communication and supply routes in Mogadishu and elsewhere.

99. The importance of genuine national reconciliation in Somalia is self-evident. One must, however, take into account the possibility that, despite the best efforts on the part of all concerned, the process of national reconciliation might not succeed. In such an eventuality, the probability of a resumption of civil war in Somalia would be high. There are already reports, as yet not fully confirmed, of additional supplies of weapons entering the country. In that event, UNOSOM II, without the required resources, might become a hapless spectator to the tragedy. I shall, of course, immediately bring such developments to the attention of the Security Council.

G. Financing

100. I should like to emphasise the importance of ensuring reliable financing for UNOSOM II. The General Assembly, by its resolution 47/41 C, has authorized commitment for the operation of UNOSOM II for the period from 1 November 1993 to 28 February 1994 at $84,700,000 gross per month, subject to the extension of the mandate beyond 31 October 1993 by the Security Council and the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. Should additional resources be required for the extension period decided upon by the Council, recourse will be made to the Advisory Committee and to the General Assembly, as appropriate.

101. As at 9 November 1993, the outstanding assessments in connection with UNOSOM II amounted to $140.6 million. This represents approximately 23.6 per cent of amounts assessed on Member States since its inception until 31 October 1993.

102. The Security Council, by resolution 794 (1992) of 3 December 1992 requested the Secretary-General to establish a fund through which contributions, where appropriate, could be channelled to States or operations involved in establishing a secure environment for humanitarian relief operations in Somalia. The total contributions to the Fund established as "The Trust Fund for Somalia - Unified Command", were US$ 105 million. The expenses to date amount to US$ 57 million. In its resolution 814 (1993), the Security Council requested the Secretary-General to maintain the Fund for the additional purpose of receiving contributions for the maintenance of UNOSOM II forces following the departure of UNITAF forces and for the establishment of a Somali police force. The contributions received so far in this regard amount to US$ 7 million.

H. Logistics

103. Owing to the withdrawal of the United States logistics contingent by 31 March 1994, changes are envisioned in connection with the provision of logistic support to UNOSOM II through the use of commercial contractors. This could result in an increase in the overall expenditure of the mission. In addition, the monthly cash flow requirements will increase. Whereas in the past, reimbursements to Governments could be delayed because of the late payment of assessed contributions, it will not be possible to delay the payment of invoices presented by commercial contractors for goods and services provided to UNOSOM II. In this regard, there has been an indication that over 35 per cent of any assessment to be made between now and the first half of 1994 will not be paid. This can only worsen the cash position of the UNOSOM II special account as indicated above.

104. I must indicate that, unless there is substantial improvement in the payment of assessments as currently forecasted, UNOSOM II will run into serious financial problems during the course of the next mandate extension.

I. Recommendation

105. I therefore recommend that the Security Council renew the existing mandate of UNOSOM II until 31 March 1994. Should circumstances warrant, I will immediately bring to the attention of the Security Council any developments that might have a bearing on the ability of UNOSOM II to discharge its existing mandate or which might make it desirable to modify UNOSOM II's mandate.

J. Concluding remarks

106. It is evident that the overwhelming majority of the Somali people want the United Nations to continue to support the process of reconciliation and rehabilitation which their representatives agreed upon in Addis Ababa in January and March 1993. They realize that the international community has devoted enormous resources and made considerable sacrifices to assist them in achieving this noble objective. The people of Somalia, I am convinced, are prepared to move forward with the process of national reconciliation and reconstruction if Member States are willing to stay the course.

107. In concluding the present report, I wish to express my deep appreciation to my Special Representative, Jonathan Howe, to my Deputy Special Representative, Ambassador Kouyate, to the Force Commander, General Bir, and to the men and women, civilian and military, of UNOSOM II. They have made an outstanding contribution to the implementation of United Nations mandate in Somalia, under difficult and dangerous conditions. My gratitude also extends to the International Committee of the Red Cross, to NGOs and relief agencies and to the many Governments that have assisted and reinforced the efforts of UNOSOM II. Above all, I pay tribute to the soldiers and the Somali workers of UNOSOM II who have lost their lives in endeavouring to help Somalia in its hour of need.